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ABSTRACT

This report contains papers presented and the transcripts of proceedings of a consultation to the United States Commission on Civil Rights on the civil rights of Asian and Pacific Americans. The proceedings are divided into nine sections. Each section contains the transcripts of summarized presentations of papers, discussions on each topic, and the formal papers prepared for the consultation. Topics of the sections are: (1) an overview including presentations on civil rights, the identification of issues, and Federal exclusionary policy: (2) the policy, methodology, and impact of census issues: (3) women's issues, including discussions on poverty, politics, legal issues, military wives, the emerging role of Asian immigrant women, and health issues: (4) immigration issues including refugee policy, undocumented aliens, and policy impact and strategies: (5) the concerns of Pacific Americans: (6) issues in education: (7) employment issues: (8) housing issues: and (9) health and social service issues. (MK)

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Civil Rights Issues of Asian and Pacific Americans:

MYTHS AND REALITIES

May 8-9, 1979
Washington, D.C.
A Consultation Sponsored by
the United States
Commission on Civil Rights

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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Preface

The U.S. Commission on Civil Rights consultation on "Civil Rights Issues of Asian and Pacific Americans: Myths and Realities," was held May 8–9, 1979, at Lisner Auditorium on the campus of the George Washington University, Washington, D.C.

In planning the consultation, Commission staff conferred with a wide variety of Asian and Pacific American organizations. Their advice and expertise were essential in determining the focus and contents of the consultation, as well as in selecting presentors and respondents. The Civil Rights Commission is indebted to the many Asian and Pacific American experts and activists who contributed to the planning of the consultation.

This was a large consultation—both in the number of topics presented and in the number of participants. Because of time constraints, those making formal presentations summarized their written papers. Those papers and the transcript of the proceedings are included in this report.

The consultation was under the Special Projects Division of the Commission's Office of National Civil Rights Issues. Project director was Dolores Bartning; assistant project director was Herbert Wheeless. Overall supervision was provided by Frederick B. Routh, director of special projects. Assistant Staff Director for National Civil Rights Issues was William T. White, Jr.

The Commission acknowledges with gratitude the contributions of the following staff members: James S. Arisman, Violeta Baluyut, Tyrone Boyd, Almeda Bush, Laura Chin, Ki-Taek Chun, Patricia Ellis, Charles Ericksen, Alfonso Garcia, David Grim, Kenneth Harriston, Barbara Hulin, Eric Jensen, Juanita Tamayo Lott, Frank Matthews, Dennette Petteway, Betty Stradford, Ginger Williams, Celeste Wiseblood, and Royce Wolfe. Staff from the Commission's regional offices also participated.

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papers from the conference have also been reprinted in *Bridge* magazine):

Integrating Asian American Curriculum Into the Classroom, by Gloria Kumagai and Sharon Shiraiwa

Meeting the Counseling and Guidance Needs of Asian and Pacific Americans for the 1980's, by Edwin E.A. Manzano

The Responsiveness of Postsecondary Education to APA Needs, by Yori Wada

The Guam Dilemma—The Need for a Pacific Island Education Perspective, by Katherine B. Aguon (keynote presentation at the conference)

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A Model of Curriculum Innovations for Infusing the Teaching of the Asian-American Experience in the Elementary Classroom, by Philip J. Lanasa, III

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National Asian and Pacific American Education Agenda (developed by the National Asian/Pacific American Education Alliance)

15. Letters from Frederick B. Routh, Director, Special Projects Division, U.S. Commission on Civil Rights to: Wilson C. Riles, Superintendent of Public Instructions, Department of Education, Sacramento, California, requesting a copy of decision to terminate State funds for the Chinese and Japanese bilingual and multicultural education programs; Stuart Honse, Executive Officer, California Housing Finance Agency, requesting current State plan for low-income, multiple unit housing in inner cities; Roland E. Camfield, Jr., Director, Area Office, San Francisco, HUD, requesting record of the current affirmative fair market plan for State of California; James H. Price, Area Office, Los Angeles, HUD, for current affirmative fair market plan, section 8 housing assistance programs; Lloyd L. Umagat, Director of Labor, Government of Guam, requesting official statement on the origin and nature of the differential pay scales; and J.L. Grey, Director, Department of Manpower Resources, Government of American Samoa, Pago Pago, requesting official statement on origin and nature of the differential pay scales 829

16. "Plight of Asian Wives of Americans," *Response*, July–August 1975 (Commission files)

17. "Casework with Japanese and Korean Wives of Americans," *Social Casework*, vol. 53, no. 5, May 1972 (Commission files).

18. "Asian and Pacific Islander Americans. . .Heritage, Characteristics, Self-Image, Conflicts, Service Needs, Organization. . .as reported by Japanese, Chinese, Pilipino, Korean, and Guamanian Leaders in the United States," *Social Casework,* vol. 57, no. 3, March 1960 (Commission files).
19. A Selected Portrait of Asian-American Health Manpower (information on trends of Asian American health manpower and some policy implications) (Commission files).
20. "Needs and Potentialities Assessment of Asian-American Elderly in Greater Philadelphia" (prepared by the Asian-American Council of Greater Philadelphia) (Commission files).
21. List of Pacific and Asian American Organizations (developed by the Division of Asian American Affairs (DAAA), Office of Special Concerns, Assistant Secretary for Planning and Evaluation, U.S. Department of Health, Education, and Welfare (Commission files and also available through DAAA).

CIVIL RIGHTS ISSUES OF ASIAN AND PACIFIC AMERICANS: MYTHS AND REALITIES

A Consultation Sponsored by the U.S. Commission on Civil Rights, Washington, D.C., May 8–9, 1979

The U.S. Commission on Civil Rights convened pursuant to notice at 8:30 a.m., Arthur S. Flemming, Chairman, presiding. Present: Arthur S. Flemming, Chairman; Stephen Horn, Vice Chairman; Frankie M. Freeman, Commissioner; Murray Saltzman, Commissioner; Louis Nunez, Staff Director

Proceedings

CHAIRMAN FLEMMING. I'll ask the consultation to come to order please.

I'm very happy to welcome you to this consultation being conducted by the U.S. Commission on Civil Rights on the "Civil Rights Issues of Asian and Pacific Americans: Myths and Realities."

It seems to me that it is appropriate at the opening of this consultation to read into the record a proclamation by the President of the United States. This proclamation reads:

> America's greatness—its ideals, its system of government, its economy, and its people—derives from the contribution of peoples of many origins who come to our land seeking human liberties or economic opportunity. Asian Americans have played a significant role in the creation of a dynamic and pluralistic America, with their enormous contributions to our science, arts, industry, government, and commerce.

> Unfortunately, we have not always fully appreciated the talents and the contribution which Asian Americans have brought to the United States. Until recently, our immigration and naturalization laws discriminated against them. They were also subjected to discrimination in education, housing, and employment. And during World War II, our Japanese American citizens were treated with suspicion and fear.
>
> Yet Asians of diverse origins—from China, Japan, Korea, the Philippines, and Southeast Asia—continued to look to America as a land of hope, opportunity, and freedom.
>
> At last their confidence in the United States has been justified. We have succeeded in removing the barriers to full participation in American life and we welcome the newest Asian immigrants to our shore—refugees from Indochina, displaced by political and social upheavals. Their successful integration into American society and their positive and active participation in our national life demonstrates the soundness of America's policy of continued openness to peoples from Asia and the Pacific.
>
> The Ninety-fifth Congress has requested the President by House Joint Resolution 1007, approved October 5, 1978, to designate the seven-day period beginning on May 4, 1979, as "Asian/Pacific American Heritage Week."
>
> Now, therefore, I, Jimmy Carter, President of the United States of America, declare the week beginning on May 4, 1979, as Asian/Pacific American Heritage Week. I call upon the people of the United States, especially the educational community, to observe this week with appropriate ceremonies and activities.
>
> In witness whereof, I hereunto set my hand this twenty-eighth of March, in the year of our Lord, nineteen hundred and seventy-nine, and of the Independence of the United States of America the two hundred and third.
>
> Signed, Jimmy Carter.

You have had the opportunity of examining the agenda that has been developed for this consultation. In doing so, I'm sure that you have noted that it is a very full agenda. We appreciate the response that we have received from invitations extended to persons to participate in this consultation.

As the presiding Commissioner, I'm calling attention now and will continue to call attention to the fact that it will be very, very necessary for us to adhere rather strictly to what is a—not a 5-minute rule but a 10-minute rule as far as presentations are concerned. This is necessary if all those who have been invited are to have an opportunity to present their points of view.

Now, back of these presentations, in many instances, will be papers and, of course, the full text of the papers will be made a part of the proceedings of the consultation.

I'm going to ask my colleague, the Vice Chairman of the Commission, Commissioner Stephen Horn, if he will preside during the first part of this consultation, which is entitled, "An Overview."

Commissioner Horn.

Overview

VICE CHAIRMAN HORN. Thank you very much, Mr. Chairman.

Ladies and gentlemen, our first series of panelists will provide an overview on civil rights in the Asian and Pacific American community and focus the identification of issues for the Commission as well as discuss the Federal exclusionary policies that have existed.

Our first speaker is Mr. Minoru Yasui, the executive director of the commission on community relations in the city of Denver. We're delighted to welcome Mr. Yasui since he has also been an extremely active member of the Colorado Advisory Committee to the United States Commission on Civil Rights.

Please proceed.

Presentation of Minoru Yasui, Executive Director, Commission on Community Relations, Denver, Colorado

MR. YASUI. Thank you, Commissioner Horn.

Members of the Commission, ladies and gentlemen, so far as the Asian and Pacific Americans are concerned, I'd start out by saying, obviously, I'm not an expert. I am a person of Japanese ancestry coming from Denver, Colorado.

I would point out that the Denver area certainly is detached and somewhat isolated from the mainstream of Asian Americans, which is concentrated primarily on the west coast and to a large degree, on the east coast. Looking at the populations of Asian Americans and here, by the way, I would emphasize that we're talking about the East Asians; we certainly exclude the Middle East, the Arabs, the Indians, the Pakistanis, so on. We're talking about the nations surrounding the Pacific rim primarily.

So far as we understand, and again I speak from the standpoint of an isolated person in the Rocky Mountain west, we're probably talking about 2.5 million persons of Asian American background.

I do not believe that there are adequate statistics actually, at the present time, to indicate precise numbers. It is my understanding we're probably talking about Chinese Americans at three-quarter million or 750,000; we're talking about Japanese Americans, who constitute probably 600,000; the third largest group, as we understand it, is probably the Korean group, probably about 400,000. We have, of course, the Filipino Americans; our estimate is probably a quarter million or 250,000. We're talking about the Indochinese refugees and, as I understand during the past 4 or 5 years since April 1975, we probably have 185,000 or 200,000 individuals from Southeast Asia.

Then, of course, the Pacific Islanders, and I have no figures on these, but we are talking about approximately 2.5 million individuals in the United States.

So far as the Asian American population in the United States is concerned, we need to keep in mind there are two very distinct groups. There are those individuals who are descendants of longtime residents in the United States—the Chinese American group, undoubtedly, goes back to the early 1800s.

We're talking about a group of people who have been here for over 100 years. The Japanese American population probably came primarily during the mid-1800s to the turn of the century. I myself am a third-generation Japanese American in the United States.

The problems the Chinese Americans, the Japanese Americans, or the longtime residents are certainly different from the problems of the newly arrived immigrants.

I might here digress just a half a second to say that I attended the Organization of Chinese Americans' national conference in Denver, Colorado, and they were talking about the ABC and the FOB, and this intrigued me. The ABC, as I understood it, is "American-born Chinese," whereas FOB is "fresh off the boat"; but we need to distinguish between the problems of the longtime resident of Japanese or Chinese ancestry and those who are newly arrived because the problems certainly are different.

Let me talk very briefly about the Sansei or the third, fourth generation of Asian descent. Our problem is not so much that of education or trying to obtain education; it is not so much the problem of trying to obtain gainful employment nor to find a home. The problem is that the discrimination against longtime residents is far more subtle; we're finding it in the problems of promotion; we're finding in the social customs within our localities, although there is clearly a legal right to purchase a home wherever we please, with whatever resources that we have. There are subtle ways in which this is discouraged.

These are the kinds of problems that we face. Whereas in the case of the newly arrived immigrant, the problem basically is that of language. Unfortunately, many of the newly arrived immigrants are not adequately prepared in the English language and, therefore, have real problems so far as education is concerned; they have real problems so far as employment is concerned, in finding housing, and these kinds of problems.

We know that there are highly educated persons, a high school teacher, a Ph.D. from China or wherever, who, if they cannot handle the language, cannot find the necessary employment and obviously cannot share in the good life that the United States offers.

I'm not sure what needs to be done in this regard—to give a very specific example, although the *Lau* case decided by the United States Supreme Court requires instructions must be given in the language that people understand, unfortunately, so far as the Southeast Chinese, Indochinese are concerned, we find in the city and county of Denver only 22 individuals who can handle both the English language and the language that this individual is accustomed to. Obviously, if we do not have the resources that kind of opportunity cannot be extended.

Let me point out a couple of more specific instances. I have referred to the longtime resident. We know that at one point the United States Department of Health, Education, and Welfare did not consider Asian Americans as a minority group, and we know that despite the success of individuals such as Minoru Yamasaki, I. M. Pei, in the field of architecture, we do have individuals of Asian American background who are disadvantaged, who are in the poverty groups, and to exclude this group in toto from the specific programs of education, we think is highly discriminatory.

We find that the Small Business Administration has ruled that the Asian American is not a minority and therefore cannot receive special assistance. We know that so far as the newly arrived immigrants are concerned, so far as the Chinese Americans or Japanese Americans, we do have individuals who are disadvantaged and who are entitled, under the law, to receive this kind of assistance.

I'm going to conclude by harking back to what Chairman Flemming referred to in the proclamation from the President. It is my position that in 1942, the United States recognized racial discrimination as law of the land. I refer to the evacuation process. We know that the cases of *Hirabayashi v. United States, Yasui v. United States* was carried to the Supreme Court of the United States and the Supreme Court ruled that in times of emergency, in the exercise of war power, the Federal Government may use race as a basis for distinguishing between those citizens of a particular national background and those who are of a different background.

We further know that in the *Korematsu* case the Supreme Court again ruled by a decision of six to three that that kind of distinction can be made and American citizens in their own native land may be actually forcibly removed from their homes and placed in places of incarceration.

That is law of the land as it exists today.

The Japanese American Citizens League, headquartered in San Francisco, is now engaged in a national campaign to secure some redress. The point is not so much the financial payment of damages or reparations, the point is to make sure that we have, in our processes of government, through legislation in Congress, that this country recognizes such racial discrimination shall not occur again.

I have submitted a paper going further into details in this regard; I have also brought a redress pamphlet which I will leave with the secretary. And this, then, will conclude my formal presentation. I would, nevertheless, indicate that I express my appreciation and things to the Commission for bringing forth the issues of the Asian American in this consultation.

Let me again indicate, although our faces may be different, although our background may be from the Orient, we too, are Americans. We believe in the greatness and in the great ideals of this country. We think that there is a future for all humanity in the United States of America.

Thank you.

[Applause.]

VICE CHAIRMAN HORN. Thank you, Mr. Yasui.

Our next presenter will be Ms. Canta Pian, the acting director of the Division of Asian American Affairs in the Department of Health, Education, and Welfare.

Presentation of Canta Pian, Acting Director, Division of Asian American Affairs, U.S. Department of Health, Education, and Welfare

[*Ms. Pian requested that the complete text of her prepared paper be presented here in the transcript in lieu of the summary of her statement.*]

Consultation Focus: Identification of Issues

by Canta Pian*

I am very pleased to be here today on the occasion of Asian and Pacific American Heritage Week. My presentation will be an overview of the civil rights topics to be covered indepth over these next 2 days. The topics are: the Census, Women, Immigration, Pacific Islanders, Education, Employment, Housing, and Health and Social Services.

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* Canta Pian is acting director, Division of Asian American Affairs, Department of Health, Education, and Welfare. The opinions expressed in this paper are those of the author and do not necessarily represent the policies of HEW.

I. Census

Issue:

During the 1970 census ethnic minorities were undercounted. Those who were most likely to be missed were the neediest in our communities: the poor, the aged, the non-English speaking, and the immigrants. Poor people, living in densely populated neighborhoods, often failed to return census questionnaires because of their mistrust of government officials and because of language barriers. While figures are not available for Asians, blacks were undercounted by an estimated 7 percent, nationally.

When the poor are undercounted, it is more difficult to substantiate our needs which, in turn, hinders our ability to obtain needed assistance at all levels of government. Effective enforcement of voting rights and affirmative action laws require that we have accurate statistics on ethnic minorities. Undercounts in 1980 would severely affect the population's ability to secure its fair share of funds for community and economic development, health, and employment programs.[1]

Remedies:

Several measures have been taken to improve the count of Asian and Pacific Americans in 1980. Mostly notably the activities of the Asian/Pacific American Advisory committee on the 1980 census has led to expansion of the number of individual Asian Pacific American groups to be identified on the 100 percent count in 1980. The list now includes Vietnamese, Samoans, Guamanians, and Asian Indians in addition to the groups identified in 1970.

This committee has also recommended the use of translated questionnaires or instruction sheets, use of ethnic press and media to inform people about the census, neighborhood centers where people who have questions about the census could go, and affirmative action to hire APAs in the Census Bureau.[2] The Bureau, in turn, has been hiring bilingual community service specialists to conduct timely precensus campaigns to inform the communities.[3]

Bills have been introduced in Congress that thus far have failed to pass which would require the Federal departments to collect and regularly publish data on APAs and to improve their collection of such statistics.[4] Similar measures have been introduced in State legislatures.

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[1] Tajima, Mark, Statement in Support of S.J.R. 23 and H.J.R. 249, Pacific/Asian Coalition (PAC), April 1979.

[2] Census Advisory Committee on the Asian and Pacific Americans Population for the 1980 Census, "Summary Report," February 1979.

[3] Ibid.

APAs are a rapidly changing population, and since 1970 our population has doubled. The decennial censuses are too far between and the results become too quickly out of data to provide adequate guidelines for policy proposals affecting Asian and Pacific Americans. To assure that the needs and progress of this population are accurately reflected, Federal statistical agencies should identify Asian and Pacific Americans in all statistical activities including the current population survey, also administered by the Census Bureau, which is the most widely used source of national statistics between the censuses.[5]

II. Women

Issue:

Although the concerns of Asian and Pacific American women are being treated here as a separate issue, the concerns of the women cannot really be separated. Their issues cut across many other subject areas being dealt with today. The women's concerns are one part of the issues of the entire Asian Pacific American community.

Equal employment opportunity is a major concern for Asian and Pacific American women. More than any other population group, Asian and Pacific American women are joint breadwinners with the men in Asian households. Two out of every three adult Asian and Pacific American women are in the work force—a labor force participation rate that is higher than any other group.[6]

Yet Asian women are channeled into a narrow range of lower ranking jobs because of stereotypes and language and cultural barriers. Women who are less educated and less proficient in English work in factories, restaurants, or in small retail shops, toiling for long hours at meager wages.[7] Working conditions are bad and employment security is minimal. Many professionally trained women, particularly those who are foreign educated, are unable to find jobs commensurate with their background and skills. Underemployment, e.g., employment at levels below one's education and training, is a continuing problem for immigrants.[8] Wages are low and cheap day care services for the children are not available.

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[4] cf. H.J.R. 249 introduced by Representatives Norman Mineta and Robert Matsui and S.J.R. 23 introduced by Senators Spark Matsunaga and Daniel Inouye.

[5] Mariano, Roberto S., "Problems and Perspectives: Towards an Appropriate Data Base for Asian American Characteristics" (presented to the Workshop on the Status of Employment, Unemployment and Underemployment of the Asian/Pacific Americans. Stanford University, Aug. 20–25, 1978).

[6] U.S., Bureau of the Census, Survey of Income and Education (unpublished data).

[7] U.S., Department of Health, Education, and Welfare, *Asian American Field Survey: Summary of the Data* (May 1977).

The health problems of Asian women are considerable. Because of language problems, work schedules, the high cost of medical care, and cultural barriers, many immigrant women do not get any medical care except in emergencies.[9] Studies show that family violence and isolation are serious problems for women married to former U.S. servicemen. Living in small towns and rural places, far removed from other Asians, some Vietnamese and Korean battered wives are unable to cope with their family problems.[10]

Through the mass media, Asian women have been victims of degrading stereotypes which portray them in roles ranging from exotic dragon ladies to docile servant girls.[11] Such perceptions have hampered Asian women's efforts to assert themselves and fully realize their potentials.

Remedies:

As women, Asian and Pacific American women share many of the same concerns that majority women in our society have. Because of this, Asian women have begun increasingly to participate and become visible in the women's movement. More Asian and Pacific American women's organizations have coalesced with other women's organizations to voice support for such issues as equal pay for equal work, reproductive choice, and the ERA.[12]

Remedies that are needed to deal with specific Asian women's issues include vocationally oriented, English language training for new immigrants, job training to upgrade and expand employment opportunities for the underemployed, and materials to sensitize career counselors to the unique guidance and counseling needs of Asian women about to enter the labor force.

Recently immigrating Asian women need information in their own languages about health, social, and legal services available in their communities. The network of organizations that operate emergency shelters and legal assistance services for battered women must be made aware of the problems of Asian battered wives.

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[8] U.S., Department of Health, Education, and Welfare, *A Study of Selected Socio-economic characteristics of Ethnic Minorities Based on the 1970 Census, Vol. II: Asian Americans* (1974).

[9] Pian, Canta, "Asian Pacific American Women's Health Concerns" (presented to Women and Health Roundtable, Sept. 14, 1978.)

[10] cf. Kim, Bok-Lim, "Asian Wives of U.S. Servicemen: Women in Shadow" in *Amerasia Journal,* vol. 4, no. 1, 1977.

[11] Lott, Juanita Tamayo and Canta Pian, *Beyond Stereotypes and Statistics: Emergence of Asian and Pacific American Women.* Organization of Pan Asian American Women (Washington, D.C., 1979).

[12] Ibid.

III. Immigration and Refugees

Issue:

America is a nation of immigrants, but Asians were the first group to be specifically excluded by racially discriminatory immigration laws. The 1882 Chinese Exclusion Act and much of the subsequent immigration laws were enacted to bar Asian groups when there were no quotas or numerical ceilings on other racial/ethnic groups. Only after national origin quotas were abolished in 1965 and new policies were established favoring the immigration of people to reunify families and to increase certain needed occupational skills, did the numbers of Asians immigrating reach significant levels. Today, Asians comprise a third of the legal immigration to this country each year.[13] Half of the Asian and Pacific American population is made up of immigrants and refugees.

Ambiguity and inequity surrounding immigration laws and alien rights still confront new and potential immigrant groups to this country. Many aliens with U.S.-approved petitions for immigration have to wait many years to get visas. Oversubscription of visa numbers and long delays in processing applications have contributed to the phenonmenon of overstaying aliens who fail to return to their native countries.[14]

Once here, immigrants experience multiple problems. They have to cope with immediate and practical problems of housing, education, employment, and the task of learning English. The new immigrant needs guidance in the form of information and referrals to community services. At present, most immigrants learn about these resources late, by accident, or from other immigrants who have gone through similar experiences. Unlike countries such as Canada, Sweden and Israel, the U.S. Government expects new immigrants to find their own way around.[15]

Legal immigrants are confronted by a body of law that is vague and often discriminatory. For example, different interpretations have been made about the eligibility of recent immigrants for welfare services. The policies in some States have not been to treat permanent residents and citizens alike.[16] However, charges have been made that by going on welfare, recent immigrants are abusing the welfare system. Proposals have been introduced in Congress to tighten up eligibility standards and to require periods of up to 5 years residency before immigrants become eligible for public assistance.[17] Clearly, a fair and consistent policy is needed in this area.

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[13] U.S. Immigration and Naturalization Service, *Annual Report.*

[14] Nair, Murali, "Social Services to New Immigrants: A Passport to Successful Adjustment" in *Migration Today*, February 1978, pp. 10–15.

[15] Ibid.

[16] New York State Advisory Committee to the U.S. Commission on Civil Rights, *The Forgotten Minority: Asian Americans in New York City* (November 1977).

Immigrants have been victims of "dragnet raids" conducted by immigration agents when they believe that there may be illegal aliens present. Persons whom they suspect of being illegal aliens and who cannot produce proof of legal residence, authorization to work, or citizenship are arrested. Harassments of this kind cause fear and distrust among many Asians even though they are legal residents of this country.[18]

Remedies:

A number of remedies have been and can be implemented to help alleviate the problems of recent Asian immigrants. The INS, for example, is expanding its outreach program, providing training to community organizations that provide social services to immigrant groups on how to more efficiently process people for adjustment of status and citizenship. INS officers are being trained on constitutional rights and human relations. The agency is pushing to automate the visa processing procedures to speed it up. INS officers are also beginning to inform aliens of sources of free legal services and informing non-English-speaking aliens of their rights.[19]

Models like Hawaii's State Immigrant Service Center and San Francisco's Chinese Newcomers Service Center could be emulated. Such centers provide information on the varied services and refer the immigrants to appropriate agencies; providing counseling, acculturation programs, outreach, and other support services necessary for immigrants to become economically productive and socially adjusted; and develop alternative mechanisms for coping with the many problems confronting the immigrant population.[20]

Issue:

Dramatic increases in a continuing flow of refugees from Indochina have offset Asian asylum countries' willingness and ability to provide them with temporary care. The extent of U.S. commitment to participate is clouded by outdated refugee provisions of existing U.S. immigration legislation. Existing immigration law is inadequate to meet the needs at the present time. The absence in the law of a clear expression of U.S. intentions and commitments to participate in refugee resettlement has made planning very difficult for those processing refugees and those involved in resettling them.[21]

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[17] Statement by Senator S.I. Hayakawa, *Congressional Record*, Mar. 28, 1979, p. S3606 introducing S. 816 to amend the Social Security Act. See also, U.S. General Accounting Office, *Number of Newly Arrived Aliens Who Receive Supplemental Security Income Needs to be Reduced*, Feb. 22, 1978.

[18] New York State Advisory Committee to the U.S. Commission on Civil Rights. Ibid.

[19] PAC, "INS to Inform Aliens of Free Legal Services," Feb. 4, 1979 (news release).

[20] Junasa, Bienvenido D., "Asian Immigrants—Adjustment and Integration," *Journal of Asian-Pacific and World Perspectives*, vol. 2, no. 1, Summer 1978.

Remedies:

Federal assistance for resettlement of Indochinese refugees is provided for under the Indochina Migration and Refugee Assistance Act of 1975 which is due to expire on September 30 of this year. A greater degree of continuity and consistency needs to be brought into U.S. refugee admissions and resettlement policies. A more realistic annual quota for refugee admissions, and a resettlement program fully coordinated with this, would help alleviate some of the current problems. The administration's proposed Refugee Act of 1979 would overhaul the present system, raise annual admissions to 50,000, and transfer the discretionary parole authority to the President.[22]

Projects for the Indochinese should build on the capabilities of the Indochinese themselves. Funding preference should be given to those Indochinese self-help organizations with close affiliations to the Indochinese community. Grantee agencies should be encouraged to employ Indochinese to the fullest, giving them an opportunity to develop and administer their own projects.

IV. The Pacific Island Americans

Issue:

Problems for Pacific Islanders can be found both in their Pacific Island homes and when they are transplanted to the continental United States. The Islander's experience has been within a mutual aid society that is nontechnical, nonindustrial, and noncompetitive. In the island society, family and social groups provide support. Substantial educational systems on the islands and language problems prevent many Pacific Island students from competing successfully in the U.S. educational system, and many adults from finding other than low-skilled laborer jobs.[23]

Much of the difficulty of planning social programs for Pacific Islanders in the continental U.S. is due to lack of information on the population. Lacking hard evidence, the needs of the group have been ignored and neglected[24]; 1980 will be the first year the national statistics on Samoans and Guamanians will be available.

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[21] U.S., General Accounting Office, *The Indochinese Exodus: A Humanitarian Dilemma*, April 1979.

[22] Ibid.

[23] Munoz, Faye Untalan, "Pacific Islanders in the U.S." in *Civil Rights Digest*, Fall 1976.

[24] Shu, Ramsay and Adele Salamasina Satele, *The Samoan Community in Southern California: Conditions and Needs*. Asian American Mental Health Research Center, November 1977.

Remedies:

The status of Guamanians and Samoans need to be recognized as a legitimate responsibility of the U.S. Appropriations for Social Security benefits and social services should be extended to these U.S. territories as they are to the States. Future bills need to be monitored to make sure assistance to these areas is not overlooked.[25]

Assistance to these areas has to be provided in such a way that it is sensitive to the cultural ways. For example, they have to recognize the importance of extended kinship ties and the role of the chiefs who are the family heads. Beginning this year, HEW is providing formula grant monies to the islands in block fashion, permitting the indigenous population more flexibility to fund according to their own priorities and needs.[26] More efforts need to be made to train the population and enable them to control their own social and economic interests. Similar efforts clearly have to be made for Pacific Islanders on the mainland.

V. Education

Issue:

Among the many educational issues affecting Asian and Pacific Americans, bilingual education is undoubtedly the most important, particularly in light of the continuing influx of Asian and Pacific Island immigrants who speak little or no English.

The *Lau v. Nichols* decision in 1974 was the strongest basis for the push for bilingual-bicultural education as an alternative form of education for children of limited English proficiency. Bilingual-bicultural education as a concept recognizes the pluralistic nature of our society and appreciates linguistic and cultural diversity.[27] Although bilingual education has demonstrated its potential for providing basic skills and cultural enrichment, some local school districts and communities have resisted court orders to provide bilingual-bicultural education. A backlash against bilingual education exists, centering on the claim that the program has not shown significant progress in teaching children English.[28]

As school districts in many parts of the country face budget cutbacks resulting from Proposition 13 and other revenue reducing measures, Asian and Pacific Island American teachers recently hired to teach in bilingual programs are among the most vulnerable to being laid off.[29]

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[25] Recommendation of the Social Welfare Task Group in DAAA's Conference on Pacific and Asian American Families and HEW-Related Issues, Mar. 9–12, 1978.

[26] The program of consolidated grants to the Insular areas as authorized by Title V of Pub. L. 95–134 (the Omnibus Territories Act).

[27] cf. Wang, Ling-chi, "Lau v. Nichols: The Right of Limited-English Speaking Students," *Amerasia* Journal, vol. 2, Fall 1974.

[28] cf. Epstein, Noel, *Policy Alternatives for Bilingual Bicultural-Education*, 1978.

Remedies:

Policies toward bilingual education need to be examined together with policies toward desegregation. Efforts in support of the former should not detract from efforts to provide appropriate bilingual education services to Asian Americans.

Proposals are being made by the community to elevate the Office of Bilingual Education to the status of an Assistant Secretary under a new Department of Education. Such a step would underline the importance of bilingual education in our society.

Issue:

The educational profile of Asian and Pacific Americans is a disparate picture. Education is highly valued in some subgroups as a key to economic security and educational attainment levels are high. In other groups, economic necessity requires that young people enter the labor force early and the population is undereducated. The presence of some Asian Americans in highly technical fields should not cloud the fact that other Asians need adult and vocational education to provide them with the English language and job skills they need to support their families.

Asian participation in affirmative action programs is another area of civil rights concern. While the Supreme Court's ruling on the *Bakke* case upheld most affirmative action programs, potentially it was harmful to Asian and Pacific Americans. The [Justice Department] brief suggested that there was no apparent underrepresentation of Asian and Pacific Islanders in the U.S. medical profession. It has been pointed out, however, that most of these personnel are Asian foreign medical graduates whose presence in the medical profession does not reflect Asian and Pacific American opportunities for a medical education in the U.S.[30]

Remedies:

While the decision has no immediate impact on the status of Asian Americans, it has put the group under scrutiny as far as affirmative action in education is concerned and, as more Bakke-type legal challenges take place, the Asian position could be more precarious. An examination of possible legal strategies would be in order.

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[29] "Cutbacks will 'Devastate' Bilingual Program," *East/West*, Apr. 11, 1979.

[30] Kahng, Anthony. "The Bakke Decision: Who Won?" *Bridge*, vol. 6, no. 3, Fall 1978.

VI. Employment

Issue:

The employment situation for Asian and Pacific Americans is characterized by underemployment and the channeling of Asian workers into a narrow range of jobs. Discriminatory practices systematically exclude the population from occupational areas. Unemployment is low for Asians because many immigrants are willing to take menial jobs at wage levels below what many other Americans are willing to work for. Many Asian workers have two or more jobs.

This, and the presence of multiple workers in the family, make it possible for Asian immigrant families to support themselves in low-income communities.[31] For Asians, underemployment rather than unemployment is the appropriate index of employment concern.

Some government and civil service agencies, including city police and fire departments, have systematically excluded Asian Americans from employment on a de facto basis with use of qualifications restrictions based on language and height, as well as culturally biased placement tests.[32] A study done for the Equal Employment Opportunity Commission revealed that in the San Francisco Bay Area, Asian Americans experience substantial job discrimination in the major industries. The study found that Asian Americans are underemployed in construction where unions have traditionally barred minorities, and in wholesale trade industries where they are heavily employed as clerical and service workers.[33]

In cities like New York and San Francisco, language barriers and transportation problems relegate Asians, living in the ghetto areas, to work as waiters and garment factory sewers. These are low-paying, deadend jobs. Wages are often below minimum wage, but employees are willing to work for whatever they can get.[34]

Recent studies of Asian and Pacific American business patterns show that their participation is rigidly structured and stereotyped. Asian and Pacific American companies are typically based on self-employment and confined mainly to small retail trade and service enterprises which show low profitability and are vulnerable to market fluctuations over which they have little control.[35] Despite this evidence of the disadvantaged status of Asian in business enterprises, the recent legislation (P.L. 95-507) that amended section 8(a) of the

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[31] HEW, Division of Asian American Affairs, "Asian American Field Survey: Summary of the Data" (May 1977).

[32] "Problems with Police Test," *The San Francisco Journal*, Apr. 18, 1979.

[33] Cabezas, Amado Y. and Harold T. Yee, *Discriminatory Employment of Asian Americans*, 1977.

[34] Lam, Dean, "Chinatown Sweatshops," *Amerasia Journal*, 1973.

[35] Asian and Pacific American Federal Employee Council (APAFEC), "Comments to the United States Small Business Administration" (no date). See also, U.S. Department of Commerce, OMBE, *Socio-Economic Analysis of Asian American Business Patterns*, 1977.

Small Business Act identified only blacks, Hispanics, and Native Americans as the socially and economically disadvantaged groups eligible to participate in the program. The legislation failed to include Asian and Pacific Americans among the eligible groups although they had been included and had participated in the 8(a) program in the past. The exclusion of Asians from this and any similar minority business programs would have a considerable negative impact on this population.

Remedies:

Some gains have been made in the hiring and upward mobility of Asian and Pacific Americans among some public and private employers.[36] Community action and litigation have brought about recognition in some cities of the need for bilingual staffing on police forces and in other public services. Despite such strategies, progress has been slow; Asians like other minorities are underrepresented in many industries and occupational areas. Asians stand to lose ground if budget cutbacks at the local level eliminate much needed affirmative action and employment programs. More efforts need to be made to enforce existing Federal laws on equal employment opportunity.

VII. Housing

Issues:

Lack of adequate housing is a major problem for many Asian American communities. Asian immigrants and elderly who are low income, often congregate in the older sections of major cities where buildings are dilapidated and rents are high. Although "Chinatowns," "Little Tokyos," and "Manilatowns" are attractive to many tourists, the physical environments of many such ethnic communities have been deteriorating. A 1970 San Francisco study found that the density of residences in that city's Chinatown was 11 times that of the rest of the city.[37] Cases where families of six live in a single room are commonplace. In addition to the high cost of rents, some rentors are required to pay up to $1,000 in "key money," a lump sum paid to the landlord for the privilege of renting an apartment.

The demand for housing in Asian ethnic communities is on the increase as more immigrant families move in. However, redevelopment has negatively affected Asian American communities throughout the Nation. The push by developers to condominiumize or develop new downtown office buildings and shopping malls has reduced the supply of low-income housing for Asian poor and elderly. Urban renewal and construction of freeways have reduced the size of many Chinatowns and threatened their survival.[38]

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[36] Chinese for Affirmative Action, *Annual Report.*

[37] San Francisco Department of City Planning Chinatown, *1970 Census: Population and Housing Summary and Analysis, 1972.*

Remedies:

Housing strategies to help avoid eviction of elderly and poor incomed residents are needed. Development has to be controlled by the community through land use regulations and public improvement projects.[39] Communities need to obtain funding for their housing and economic development programs. Federal support for low-cost housing that is well built and safe are needed.

Where displacement occurs, mechanisms need to be implemented to help residents to relocate to renovated low-cost units in their communities. Services are needed that would assist those Asian Americans who do wish to move out of inner-city areas to do so.

VIII. Health and Welfare

Issue:

Underutilization of health and welfare services by Asian and Pacific Americans has been documented repeatedly in research on the needs of this population. Asians, particularly those of low-income status, generally would prefer to seek assistance from family members and relatives, or friends and neighbors rather than a public agency.

There appears to be consistent pattern of Asian Americans doctoring themselves, using folk remedies, or resorting to traditional modes of treatment and seeking the services of a physician only when they experience an acute illness and then only for immediate relief of symptoms.[40] The Asian American field survey of 1974 found that more than 20 percent of Chinese children and about half of Chinese adults in the New York City Chinatown sample had never had an eye or a dental exam. Moreover, 23 percent of the adults had never had physical exams.[41] The 1972 report of the White House Conference on Aging reported on a study showing that a third of the Asian elderly had never had a medical or dental exam.[42] Results of a special pap test screening program offered to Asian women between 1973 and 1977 found that one out of every four women participants between 30 and 50 had never had a pap test before.[43]

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[38] cf. Sung, Betty Lee, *Chinese Manpower and Employment,* U.S. Department of Labor, 1975; California Advisory Committee to the U.S. Commission on Civil Rights, *Asian Americans and Pacific Peoples: A Case of Mistaken Identity* (1975); and Little Tokyo Anti-eviction Task Force, "Redevelopment in Los Angeles Little Tokyo," *Counterpoint,* Asian American Studies Center, UCLA, 1976, pp. 327–33.

[39] Chin, Doug, "A Strategy to Develop Housing without Displacing Residents," *The International Examiner,* February 1979.

[40] Huang, C. and Grachow, F., "The Dilemma of Health Services in Chinatown New York City" (presented at the Annual Conference, American Public Health Association, New Orleans, La., October 1974, as reported in "Report of the Special Populations Subpanel on Mental Health of Asian/Pacific Americans" in *The President's Commission on Mental Health Report* (1978).

[41] *The President's Commission on Mental Health Report* (PCOMH). Ibid.

[42] Ibid.

Such study findings make it clear that there is a serious need for programs for prevention and early detection of illness among Asian and Pacific Americans, particularly among the elderly and recent immigrants.

Studies have shown that language, lack of knowledge about how to use services, and cultural differences are the primary obstacles preventing Asians from participating in public social and health service programs.[44] Health and welfare agencies have few bilingual staff, haphazard provisions for non-English-speaking clients, and very little publicity to the Asian community about their services.[45]

The failure to provide health and social services bilingually and biculturally poses an important civil rights issue for Asians and other minority groups. A 1979 national survey of key civil rights leaders and organizations indicated that the majority of respondents felt that the absence of bilingual-bicultural staff in health agencies is discriminatory against Asian Americans and Hispanics and is an issue of priority concern.[46] The Office for Civil Rights within HEW has determined that in HEW-assisted health and social service programs, an absence or insufficient number of bilingual staff in public contact positions to service non- or limited-English-speaking persons causes delay in receipt of services, reduces the level of benefits, and completely discourages participation by some potential beneficiaries. OCR has also found that where staff cannot communicate fully and effectively with non- and limited-English-speaking persons, such persons suffer greater difficulties in program participation than do English-speaking persons in terms of waiting delays, expense, breaches of confidentiality, improper findings of ineligibility, and unwarranted termination of benefits. As OCR has explicitly noted, non- and limited-English-speaking persons are denied equal services on the basis of race or national origin in violation of Title VII and its implementing regulations.[47]

When bilingual-bicultural staff, treatment approaches that include cultural sensitivity and the involvement and support of natural community and family structures are available, service utilization rates of Asian Americans increase. For example, the number of Asian and Pacific Americans using Asian American counseling and referral service in Seattle in 1 year was approximately equal to the total number of APAs using a total of 18 other community mental health centers over a 3-year period.[48] Similarly, it was reported that after the establishment of a mental health center in San Francisco specifically design to serve Asian and Pacific American patients, more Asian patients were seen in the first 3 months of the center's operation than were seen in other facilities in the catchment area for the previous 5 years.[49]

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[43] Pian, Canta "Asian Pacific American Women's Health Concerns," op. cit.

[44] cf. Demonstration Project for Asian Americans, "DPAA Project Effectiveness Evaluation Report," Los Angeles, 1973; Pacific Asian Elderly Research Project, *Critical Factors in Service Delivery*, 1978; and Kim, Bok-Lim, "Problems and Service Needs of Asian Americans in Chicago: An Empirical Study," *Amerasia Journal*, vol. 5, no. 2, 1978.

[45] DPAA, op. cit.

[46] National Study of Major Current Civil Rights Problems Identified by Civil Rights Officials, Organizations, Leaders and Experts (CRC Education and Human Development, Inc. under contract to the U.S. Commission on Civil Rights, 1979).

[47] OCR Draft of Proposed Policy on Non and Limited English Speaking Persons, Sept. 2, 1976, as cited in a petition to Secretary Joseph A. Califano by Hogan and Hartson, dated Nov. 21, 1978.

A study of the "Chinatown project" has demonstrated that the use of bilingual-bicultural staff can significantly improve productivity, quality of services, and the overall effectiveness and efficiency of service delivery. The project is a branch of the Social Security Administration in New York City's Chinatown staffed entirely with Asian workers and using bilingual literature and signs.

The project's data established that the average number of claims cleared per week by the branch office significantly exceeded the average rates for the parent office, the region, and the Nation.[50]

Remedies:

Reflecting the severe need for bilingual-bicultural services, major civil rights organizations in the Hispanic and Asian communities have petitioned the Office for Civil Rights to develop and implement regulations that would require bilingual staff and printed matter in HEW-funded public assistance programs whose service area population is at least 5 percent non- or limited-English speaking. An employment program involving filling appropriate staff vacancies that result from attrition with qualified bilingual personnel has been recommended. If implemented and enforced, the proposals made by the civil rights groups would significantly assist in the eradication of the forms of discrimination described.[51]

Mechanisms are needed to increase the knowledge and sensitivity of service providers toward Asian clientele. Government at all levels must be made aware of the seriousness and extent of health and welfare problems among Asian and Pacific American communities in order that public resources can be directed to remedy the situation. Pressure must be brought to bear on providers of health and social services at the local, State, and Federal levels to improve services to the Asian population through programs that are effective for this population.[52]

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[48] Sue, Stanley, and Herman McKinney, "Asian Americans in the Community Mental Health Care System, "*American Journal of Orthopsychiatry*, vol. 45, no. 1, January 1975, as cited in *PCOMH*, op. cit.

[49] *PCOMH*, op. cit.

[50] Owan, Tom "Improving Productivity in the Public Sector by the Use of Bilingual/Bicultural Staff" (presented to the National Conference on Social Welfare, Chicago, Ill., May 16, 1977).

[51] Hogan and Hartson, op. cit.

Direct funding to Asian and Pacific American organizations to develop model service delivery programs such as community-based, multipurpose service delivery centers and satellite outreach centers should be encouraged. Mechanisms for reimbursement of traditional Asian forms of health care (e.g. acupuncture and herbs) need to be established. To relieve the shortage of bilingual health professionals and paraprofessionals in certain Asian groups, including refugees and Pacific Islanders, opportunities for training and licensing of persons in these populations need to be increased.[53]

Resources and funding have been made without consideration of APA concerns. The situation results from lack of APA involvement in the decisionmaking process. Efforts need to be made to see that Asian and Pacific Americans are appointed to serve on high level policymaking bodies and Federal, State, and local government boards, committees, and councils, especially where substantial numbers of Asian and Pacific Americans are affected.[54] Chief among the positions where Asian Pacific Americans need to be appointed are those that have impact on the civil rights of the population. Consideration, therefore, should be given to the appointment of an Asian and Pacific American to the U.S. Commission on Civil Rights.

VICE CHAIRMAN HORN. Thank you very much. Our last member of this panel, who will discuss Federal exclusionary policies, is Professor of Asian American Studies, Ling-chi Wang, University of California, Berkeley.

Presentation of L. Ling-chi Wang, Assistant Professor, Asian American Studies, University of California, Berkeley

DR. WANG. Thank you, Commissioners.

I would like to begin this presentation by expressing my gratitude for this unprecedented opportunity to present some of the major civil rights issues of Asian Americans to the Commission and its staff today and tomorrow.

Even though a few State advisory committees of the Commission have, in the past few years, undertaken hearings at the State level, I believe this is the first consultation on Asian American civil rights issues by the full Commission since its founding.

I remember it was in 1971 that the Chinese for Affirmative Action group, a community-based civil rights organization in San Francisco, first approached the Commission staff in Los Angeles of the need to deal with the unique civil rights problems of Asian Americans, and to include Asian Americans on the staff, State Advisory Committees, and indeed, the Commission itself.

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[52] cf. Weave, Jerry L., "Public Policy Responses to Environmental Factors in High Blood Pressure" (presented to the National Symposium on High Blood Pressure Control in U.S. Asian and Pacific Populations, San Francisco, Calif., Oct. 1, 1977.

[53] cf. *PCOMH*, op. cit.

[54] cf. *PCOMH*, op. cit.

It took a few years to put a few Asians on the staff and on the State Advisory Committees; it took a little longer to include Asian American concerns on the agendas of the State committees with high concentration of Asian American population.

This long and overdue 2-day consultation must, therefore, be seen as another step in our long struggle to have our voice heard and in our long journey toward achieving equal opportunity in the United States.

With the support of this Commission, we hope to see the first Asian American appointed to this Commission in the very near future.

[Applause.]

I have prepared for the Commission an historical overview of some of the major issues related to Asian American civil rights. I believe that it's very important, first of all, in any discussion on the civil rights issue of Asian Americans, that it be based on some historical analysis because most of the problems that we're talking about today are actually rooted in history.

Like many other minority groups, women and poor whites in this country, Asian Americans today face many civil rights problems. And I could only summarize some of the major points in my presentation; I will submit a complete paper for the record.

Now, these civil rights problems could not be fully understood without an adequate understanding of the history of the various Asian groups in the United States. So I will not go into the detail of history itself for today, however, I do like to summarize some major points that I think will be important for the Commission and other government agencies responsible for enforcing civil rights law to consider.

The first point I wanted to make is that in reviewing the civil rights of the various Asian and Pacific American groups, we cannot assume that all of us are *homogeneous.* Even though we came from Asia, with a common geographic and similar cultural origins, each represents distinctly different language and cultural backgrounds, and each was brought into American history at a different stage of economic development in the United States and for quite diverse purposes.

Once in the United States, Asian experiences of racial oppression elicited different community responses. The different anti-Asian exclusion laws further created different lifestyles and needs between those Asians who came before the exclusion laws—for Chinese it would be 1882, for Japanese, 1924, and for the Filipinos, 1934—and those who came after the immigration laws of 1965, which both Ms.

Pian and Mr. Yasui talked about. Also, there's a further difference between those who were born in the United States and those new immigrants who have just arrived.

What all this means is that we must treat the Asian group carefully and draw no hasty conclusions or generalizations that cannot be substantiated by facts. This was precisely one of the problems that we faced with the Federal brief before the U.S. Supreme Court in the case of *Bakke*, where the U.S. Justice Department assumed the homogeneity of Asian Americans and made a number of generalizations regarding Asian Americans. I am certain some of these erroneous allegations will be discussed during the course of this 2-day consultation.

But I wanted to point out, the whole idea of the nonhomogeneity among the Asian groups is an important one, because there is a tendency for us to sweep all the minorities under, you know, the same kind of treatment or category, and, in particular, I think of the smaller Asian and Pacific groups. I think it will be very important for us to recognize their unique problems in the United States.

The second point I wish to make is that it is of utmost importance for this Commission and other civil rights enforcement agencies to develop *different monitoring techniques and criteria* to review the civil rights status of Asian Americans. The tendency, in fact, the practice is to apply the familiar and, indeed, standardized instruments to measure compliance status on Asian Americans without regard to their transferability or applicability to the unique problems facing Asian Americans.

For instance, the primary concern as pointed out by previous speakers in the area of education has to be, for instance, for the immigrant groups, the problem of non-English-speaking children; for the black community, of course, the school integration is the primary issue. But for Asian Americans, especially for the new immigrant, the problems faced by the *Lau v. Nichols* case is a primary concern.

Another example of this kind of nontransferability of one category or criteria developed in one group to another group would be, for instance, in the area of employment. It has been pointed out that the primary problem for Asian Americans is underemployment. But for blacks, the primary concern has been unemployment.

In the area of manpower training, for a while Federal policy, for instance, did not recognize language deficiency as a problem of employment. And it took a while for the Department of Labor to begin to acknowledge the fact that if one does not speak the English language, one will have a problem getting into the labor market, and, therefore, manpower training program must allow the training of language for adult immigrants.

Likewise in the area of politics, I guess voting rights, of course, is of primary concern for us; but perhaps even more important for Asian Americans, we have to become citizens first and be provided bilingual elections.

Before 1943 Asians in the United States were not eligible for naturalization both by judicial interpretation and by act of Congress. To get to that point of voting in elections, Asians must be naturalized first, and once they get naturalized they still have to be able to understand the language itself. Therefore, the Bilingual Voting Rights Act is a major concern for us, and I think that the Federal agencies must do everything that they can to make sure that the voting rights of Asian Americans are not violated.

Now, I could go on and give more examples, but I think the point I wanted to make here is the national criteria for defining the severity of civil rights violations have shown very little sensibility to Asian American concerns, and I think it's not fair to Asian Americans. I think this has led to many assumptions about a fact that Asians have made it, they have assimilated, they no longer have any kind of problems with regard to civil rights. I think what is needed for this Commission and other Federal enforcement agencies to do is to develop a new set of criteria that will reflect the history and the sensibility of Asian experience in America. The criteria developed for blacks may not be applicable for Asians.

The third point I wanted to make is that because of the absence of any viable and relevant criteria for reviewing Asian American civil rights status, Federal Government agencies responsible for collecting data, investigating violations, and enforcing civil rights laws have come up with virtually no comprehensive report or study about Asian Americans. Whether it be this Commission, the Office of Federal Contract Compliance, EEOC, the Census Bureau, the Bureau of Labor Statistics, and on and on with all the researching arms of the various departments within the Federal establishment, we have found very little of any usable type of information on Asian Americans.

In other words, Asian American problems have been totally ignored by the Federal establishment by virtue of the absence of data. This situation has adversely affected the Asian Americans in government funding to the community and, of course, in the enforcement of the civil rights laws.

And in this regard, I think it's fair to say that because of the kind of negligence on the part of the Federal agencies, the Asian community has not been protected and has not been served in terms of their civil rights problems.

The fourth point I want to make in my statement is the conspicuous absence of Asian Americans on Federal commissions, boards, councils, advisory committees, and task forces, and, of course, in these Commission's staffs.

It is obvious that available government resources and services, whether it be in the forms of data collections, investigation, funding, or law enforcement, these resources and services are distributed by those with power to distribute. Absence of high level Asian American advocates in these crucial agencies effectively render the Asian American community ineligible for needed resources and services.

This is one lesson that I think many of us have learned from the veterans of civil rights movement: that you have to have your own advocate within the Federal agencies to get services, and I think if we were to review the status of Asian participation in these commissions, councils, advisory committees, and what have you, I think you will find a conspicuous absence of Asians, and therefore we, by virtue of that, were excluded from any kind of services.

Finally, the last point I wanted to make is that I cannot overemphasize the importance of having an Asian American on this Commission to reflect the Asian sensibility and awareness. Hopefully, through the monitoring role of this Commission, the Asian American concerns can be effectively transmitted to other Federal law enforcement agencies as well who have been charged with the responsibility of overseeing the civil rights of Americans in general.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

[Applause.]

Discussion

VICE CHAIRMAN HORN. On the last point, we should note for the record, since sometimes citizens do not understand the process, that in terms of service on this Commission, the decision is not made by any member of the Commission on Civil Rights; that decision is made by an incumbent President of the United States who nominates an individual for service, and that individual, if he or she is to serve, is then confirmed by the Senate of the United States.

I will now yield to my colleagues who might have questions of the various panelists.

Chairman Flemming?

CHAIRMAN FLEMMING. Mr. Yasui, you mentioned the steps that have been taken rather recently growing out of the existence of the concentration camps during World War II.

I'm wondering if you would just elaborate on that a little bit more, indicating what the present or what the objectives of the movement are, and also indicating just where it stands at the present time?

MR. YASUI. Yes, Chairman Flemming. At the present moment, the Japanese American Citizens League, as I indicated, in San Francisco has formed a national committee looking at the problems of 37 years ago. As a lawyer, we recognize that there is no way in which we can undo the legal decisions of the United States Supreme Court. The Supreme Court has indeed ruled that the differential treatment accorded to American citizens of Japanese ancestry is constitutional, is legal.

We further recognize, therefore, there can never be a suit against the United States Government for damages directly; that we recognize.

We, therefore, believe that it is incumbent upon the Congress of the United States to address the problem.

At the present moment, to bring you up to immediate date, the proposal is to establish a congressional commission to again reexamine the factual bases upon which evacuation was based, and to make findings and conclusions; hopefully out of that would grow the actual finding as to the consequences of the evacuation process. Obviously, we would hope that there would be recommendations as to how this might be redressed.

I would be less than candid to—if I did not mention that there are groups on the west coast, particularly in Seattle and in Los Angeles, that are saying we want reparations, $25,000 per individual, a total sum of $3 billion. In international politics, $3 billion is not a great deal of money; we know that West Germany has paid over $44 billion in reparations to Jewish groups and to Israeli interests. I am not concerned about the monetary aspects; I am concerned about that this country establish on the record that the evacuation process based upon individuals' ancestry or background was wrong.

This is why I am participating in this national campaign to indicate that a congressional commission should make that finding and make recommendations to the appropriate redress.

CHAIRMAN FLEMMING. Thank you very much.

Ms. Pian, I'm wondering if you would tell us about the major duties and responsibilities of the Division of Asian American Affairs in the Department of Health, Education, and Welfare? Just hitting the high spots.

MS. PIAN. I'd be very glad to.

The Division is in the Office of the Assistant Secretary for Planning and Evaluation, and our mission is to help increase the impact of HEW programs on the Asian and Pacific American community and to serve as an advisor to the Department on matters concerning this population.

I might add that we are one of only two offices in the entire Federal system that is specifically established to address the concerns of Asian/Pacific Americans, and, as a result, we are called upon frequently by other Federal agencies to provide statistics and other information concerning this population.

I would hope that other offices such as this one could be established in other Federal agencies so that there could be more resources to address our concerns.

CHAIRMAN FLEMMING. Essentially, then, you're a staff office; you advise other units of the Department of Health, Education, and Welfare.

MS. PIAN. That's correct.

CHAIRMAN FLEMMING. I assume that in most instances, you, in effect, volunteer the advice, but are there instances where units in the Department have turned to your particular office and requested advice and assistance, and if so, would you maybe give us an illustration?

MS. PIAN. Recently, our office was called upon to provide input relating to the consolidation of grants to the Pacific Islands. Legislation had been passed to consolidate HEW grants to the Pacific Island Territories, permitting those territories to exercise greater discretion over funding to meet their own priorities and needs. Our office provided suggestions on this process through the Assistant Secretary for Planning and Evaluation.

Another example is that our office helped to link the Asian and Pacific American communities with the first group of Indochinese refugees coming to the U.S., thus helping to expand the network of agencies providing services to that population.

CHAIRMAN FLEMMING. Thank you very much.

Mr. Wang, I was interested in your comment that what is needed, in your judgment, is a new set of criteria in determining civil rights violations as they affect the members of the Asian American community. I assume that in your paper probably you've identified what you feel those criteria should be. But you might identify just one for us by way of illustration, in connection with the discussion that will be going on here in the next 2 days.

DR. WANG. Thank you. You know, one of the common things that one hears in the media, and even among academic circles, is that Asian Americans have "made it." And the criteria used to reach that conclusion is pretty much based on the census data from 1970. And if one were to look at the census figures, one immediately sees that the median income of some Asian groups have not only reached parity but in some cases even higher than the national median, and the fact that the Asians have become quite dominant as a group in the professional and technical occupational categories. This type of study has led people to believe that Asians have made it.

Now, my contention is that the—first of all, these criteria are not applicable to Asians in the sense that the Asians are actually concentrated primarily in two States in the United States, California and Hawaii, rather than evenly distributed among 50 States, as is the case for other groups. Since these two States have the highest standard of living, the median income is not surprisingly a lot higher than the rest of the 48 States. Furthermore, if you were to look at those two States, Asians are primarily concentrated in two—three metropolitan areas: Los Angeles, San Francisco, and Honolulu where the standard of living is even higher. And then, if we were to look at Asian Americans from the point of view of their socioeconomic status in those concentrated areas in comparison with the dominant population, we find vast disparity between Asians and whites. We also find Asians located in highly discriminated sectors of the labor market.

On the one hand, there is a very high concentration of Asians in the professional and technical categories and, on the other hand, a very high concentration in the service category. Then if you go further into the metropolitan areas statistics, you'll find that within, for instance, the highly technical professional categories, you find Asians concentrated primarily in two, three areas: in engineering, in accounting, and in health technology, and conspicuously absent in others. These are the primary areas for highly educated Asian males.

What about the Asian female who has gotten a college degree? They are invariably in clerical categories. For the service category, we find that Asians are not in that so-called uniform services, like police, firemen, and sheriffs. Instead, they are actually in restaurants, hospital workers, janitorial services, very low-level type of jobs. And for females, it's primarily domestics and in the sewing factories, the so-called sweatshops.

Then, if you were to look further into each one of these categories, in terms of where Asians are located, for example, in accounting and engineering, you'll find again Asians to be primarily in the lower level of the profession. In other words, if you really dig into it, you find very, very consistent and highly institutionalized discrimination in the labor market. And I think that's the kind of thing we ought to be looking for and be sensitive about.

CHAIRMAN FLEMMING. Thank you very much.

MR. YASUI. Mr. Chairman, could I comment—just one statement? Talking about averages and to reenforce what Dr. Wang is talking about, it's like the illustration of a person who's head is in the freezer and his feet is in the fire; on the average the guy's temperature is pretty good.

VICE CHAIRMAN HORN. Thank you.

Commissioner Freeman?

COMMISSIONER FREEMAN. None.

VICE CHAIRMAN HORN. Commissioner Saltzman?

COMMISSIONER SALTZMAN. I don't have any questions.

VICE CHAIRMAN HORN. I'd like to ask Dr. Wang one question with regard to the AIR [American Institutes for Research] study, which I suspect you're familiar with, that was made of bilingual education.

Could you briefly describe for the Commission those aspects of that study as they pertain to Asian American languages and the effectiveness of the implementation, and any comments you have with regard to the appropriateness of that study in terms of methodology, etc.?

DR. WANG. Well, to begin with, I think you're familiar with the circumstances under which the contract was awarded. In fact, there was a subsequent Federal lawsuit against HEW and some allegations of impropriety in the awarding procedure. All these took place before the entire Watergate disclosure. There were allegations made about the political—

VICE CHAIRMAN HORN. Well, I'm interested in the research methodology.

DR. WANG. Okay. Then subsequently actually I was contacted by the AIR to be one of the advisers. I went to the first and only meeting that I attended because I found that the—that everything that I tried to bring out was completely ignored, and so I finally gave up my participation after the first meeeting.

Now, as far as the study itself, it has very little relevancy to Asian Americans. I do not like the—for instance, the way the study was conducted. The only thing that they cover as far as the Asian Americans was concerned is the so-called exemplary program, a Title VII program came out of the Asian American community.

I suggested to them that in order to make a study that has some meaning to the Asian community, they ought to look at programs that have existed a little bit longer than just 1 or 2 years. I suggested that the Title II program funded in San Francisco Chinatown be the target of their study, because by then it was already in existence for 4 or 5 years. But instead, they chose to look at the program that was fairly new, just barely got started. In fact, it was plagued with a lot of problems. I personally know the problems of the new program, and I knew such a study would not do us any good.

VICE CHAIRMAN HORN. Let me ask you this, in terms of the *Lau* decision in which I believe you did some of the research for that case, have there been subsequent studies done in the San Francisco Public Schools that would give us some feeling as to whether change has occurred and the degree to which Asian American students are learning the English language through the bilingual education approach?

Dr. Wang. The only study that has come out since the *Lau* decision or since the consent decree which was issued by the Federal district court subsequent to the *Lau* decision, was the report submitted by San Francisco Board of Education to the Federal court as part of the consent degree—a report, progress report.

In that report, I regret to inform you, it indicated that around 1,200 non-English-speaking children were receiving no identifiable services.

Vice Chairman Horn. What is the date on that report?

Dr. Wang. The date, I think it was in November 1978 or December 1978.

Vice Chairman Horn. So it would be probably the 1977–78 school year then?

Dr. Wang. Yes. There has been some progress made, there's no question in my mind. It's interesting how the school district reacted to the *Lau* decision. Sometimes these figures about how many children need services go up and down depending on the political climate and the school district's ability and desire to serve.

For instance, when the *Lau* decision came out in 1974, San Francisco reported around 9,000 in the whole school system. Then, a year after that, in 1975, they reported 6,100. Suddenly it dropped down and then, after persistent community pressure, it eventually went back up to 9,000 or 10,000. It was interesting for me to find out that 2 years ago they conducted a survey which was mandated by the consent decree, a home language survey, and it showed 34,000 out of a school district of 61,000 whose home language is other than English.

Vice Chairman Horn. I'd like to ask Ms. Pian if the Division of Asian American Affairs in HEW was at all involved in the decision on the American Institutes for Research contract?

Ms. Pian. No, we were not.

Vice Chairman Horn. Was the office in existence at the time that contract was let?

Ms. Pian. Yes, but the AIR study was conducted by the Office of Evaluation and Dissemination in the Office of Education. The Office of Education Planning in ASPE was involved in the inception of that study, but the Division of Asian American Affairs was not involved.

Vice Chairman Horn. In other words, the Division of Asian American Affairs under the Assistant Secretary of Planning and Evaluation was not consulted even though the Assistant Secretary for

Planning and Evaluation might have been consulted by the Commissioner of Education and his staff?

Ms. Pian. Yes. I was not with the Division of Asian American Affairs at the time, but I am quite certain that DAAA was not involved in the decision on the AIR study.

Vice Chairman Horn. Any further questions by my colleagues? I'd like to thank each of you for coming here to Washington to share your overviews with the Commission. We deeply appreciate it. Thank you very much.

[Applause.]

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Papers Presented

An Overview of Civil Rights Issues of Asian and Pacific Americans: Myths and Realities

by Minoru Yasui*

Introduction

Asian Americans, particularly Pacific Islanders, residing east of the Rocky Mountains and west of the Mississippi River, in the Great Plains area of the United States, are generally detached from concentrated population centers of individuals of similar backgrounds and certainly are isolated from the major active cross currents affecting Asian American and Pacific Islander issues.

The six States (Colorado, Montana, Wyoming, Utah, North and South Dakota) constituting Federal Region VIII have a population of slightly more than 6 million inhabitants on more than 582,000 squares miles of territory or slightly more than 10 persons per square mile. Three percent of the people of the United States live in this region, which constitutes about one-sixth of the land area of our country.

Proportionately, the populations of Asian Americans and Pacific Islanders in this region is even more infinitesmally smaller; perhaps, Asian Americans constitute less than 0.3 percent of the total population in this region. Moreover, the Asian American population is divided and subdivided into a number of ethnic or nationality groups, with different languages, diverse cultural and social backgrounds, and at all levels of assimilation into the American mainstream.

The Chinese Americans, and to a lesser degree, the Japanese Americans, have been in the United States for four and five generations; whereas, the Indochinese or Korean groups are frequently "fresh off the boat" and have been in the United States only during the past few years. The recent immigrants from Asia, with little or no ability to function in the English language, and having very little knowledge of our American mores or customs, find it exceedingly difficult to communicate effectively their needs or even to exist satisfactorily in the United States.

Because of the sparse populations of Asian Americans in this region, and because of the wide divergence of needs and aspirations of this group in this region, there is no general commonality of needs or

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TABLE 1

Asian Americans and Pacific Islanders in the United States

Chinese Americans	750,000
Japanese Americans	600,000
Korean Americans	400,000*
Filipinos and Filipino Americans	250,000
Indochinese (all groups)	200,000**
Pacific Islanders	100,000

* Korean immigrants have been entering the United States in large numbers, up to about 150,000 per year, during the last several years.

** Indochinese, many of whom are ethnic Chinese, as well as Vietnamese, Cambodians, Laotians, M'hongs, Thai, and others have generally come to the United States as refugees since the fall of Saigon in April 1975.

grievances of the Asian American groups in this region. Hence, the views herein being presented undoubtedly reflect the detachment and isolation of this particular writer and are certainly personal and subjective. We do not know whether the concerns expressed herein are shared by other Asian Americans on either the west coast or east coast, or indeed by any others in this region. The views herein expressed are those of an American of Japanese ancestry, born in the State of Oregon before World War I (1916), evacuated from the west coast in 1942, and a Colorado resident during the past 37 years, and as such, are highly individualized viewpoints.

Asian Americans in the United States

It is our understanding that since the 1970 U.S. census there have been some substantial changes and increases in Asian American populations in the United States. No one seems to have accurate figures as of 1979, but it is our understanding that there are about 2.5 million Asian Americans and Pacific Islanders in the U.S. as estimated in table 1.

It cannot be overemphasized that each of the ethnic groups listed above and all of the subgroups mentioned are distinct and different as much, perhaps, as Greeks are different from Swedes, or as Spaniards are different from Russians. Too often, Americans believe that all "Asians" are alike, with similar language, culture, and background. Civil rights struggles of each of these groups are in many ways different for each group.

Generally, civil rights and other social problems of Asian Americans in the United States can be divided broadly into those affecting the newly-arrived immigrant—within the past 5-10 years—and those involving Asian Americans whose roots in America go back several generations. Nevertheless, the problems of the newly-arrived immigrant and those of second, third, fourth, or even fifth generation Asian

Americans are intertwined and intermingled, because most Americans regard all Asians as having been born and reared in a quaint and exotic home—if not actually born in the far-away Orient. It is only too often that Asian Americans with advanced Ph.Ds, or M.D. degrees, or other credentials of higher learning are asked: "My, you speak good English; where did you learn to speak English?" or "When did you come to this country?"

Longtime Residents of the United States

The Chinese have had an impact upon western European civilization as long ago as the beginning of the 13th century, when Mongol troopers carrying the war banners of Genghis Khan defeated the Russians in 1223, and invaded Poland, Hungary, and the Danube Valley. Marco Polo of Venice journeyed to the far-off land of Cathay during the mid-1200s to learn of the advanced civilization in China, which made Europe look like a land of barbarians. The influence of China upon the world has not only been long continuing but also profound. Most Americans, unfortunately, are not even aware of the long ago influences of Chinese civilization which affect their daily lives today, but indeed, today, are still inclined to look down upon the "heathen Chinee."

And yet, we know that the seafaring nations of Europe were carrying on trade with China during the 1500s, and by the early 1800s, European nations and the United States penetrated and invaded China. Conversely, by the mid-1800s, Chinese coolies (working men), notably from the southern areas near Canton, were imported to work the sugar cane fields and the pineapple plantations of Hawaii, and later brought over to the American mainland to work on railroads, in the mines, to do laundry and cooking, and all the menial, backbreaking work that our pioneering white men avoided.

Despite all of the patience, hard work, and forbearance exhibited by the Chinese immigrants during the late 1800s, virulent anti-Chinese movement swept the west coast. The Japanese laborers were brought in after the Meiji restoration in 1868, and as Japanese families were established on the farms and cities of the west coast, the anti-Oriental movement took up the cry of the "Yellow Peril" and succeeded in persuading the Congress of the United States to enact the Oriental Exclusion Act of 1924, prohibiting any further immigration from the Orient. It was not until 1952 that anti-Oriental immigration laws were amended to permit immigrants from the Orient to enter the United States as permanent residents.

With the outbreak of World War II, with the bombing of Pearl Harbor on December 7, 1941—subsequently—all persons of ancestry having 0.031 percent degree of Japanese blood or more were forcibly

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removed from their homes and incarcerated in wartime internment camps in the desolate desert and swamp areas of the United States. Although cases were carried to the Supreme Court of the United States, the U.S. Supreme Court ruled that such differential treatment of the Japanese American was justified as a constitutional exercise of war power, while acknowledging that such military orders against civilians were based upon race, and race alone.

The above background is set forth to indicate the deep-rooted and now established legal and constitutional basis for discriminatory actions against those Asian Americans who have for generations in the United States demonstrated—more than amply—their loyalty to the United States of America, and yet find certain civil rights and opportunities denied to them solely on the basis of an Oriental ancestry.

It should be noted that such legally discriminatory governmental actions were not enforced against Americans of European ancestry.

Newly Arrived Asian Immigrants

Because of language problems, the newly arrived Asian immigrant to the United States is generally having an excruciating time. Educational opportunities are—in effect and in fact—denied to such an immigrant who cannot speak English. In the Denver area, it was noted that there were 22 individuals who were fluent in English as well as in one or more of the Indochinese tongues to serve approximately 4,000 refugees from Southeast Asia. Although the *Lau* case, decided by the U.S. Supreme Court, requiring instruction to be in the language understood by the student—in fact and in effect—is not being followed in this region because of a lack of interpreters or instructors capable of handling the Vietnamese, Cambodian, Laotian, Hmong, Thai, or other languages.

Because many such newly arrived immigrants from Southeast Asia are unable to function in the English language, opportunities in education, in employment, and as a result, in housing and in the normal, usual amenities of life are denied to these individuals. We do not have statistics for other regions but it might be illuminating to mention data for the Mountain-Plains region as follows: As best that can be determined, there are about 18,500 persons of Asian American background in the Denver metropolitan area. These individuals constitute about 0.1 of 1 percent of the total population of an estimated 1.7 million people in this metropolitan area.

Estimates [on persons of Asian American background in the Mountain-Plains region] by the Colorado Alliance of Pacific Asian

TABLE 2

Persons of Asian American Background in the Mountain-Plains Region

	Number of Persons	
Korean Americans	6,000	
Japanese Americans	3,500	
Chinese Americans	3,000	
Indochinese (all groups)	4,500	
Vietnamese	1,500	
Cambodian	800	
Laotian	600	
M'hong	400	
Thai	1,200	
Filipino		1,000
Pacific Islanders		(*negligible*)

Americans (CAPAA), headed by Dr. Nai-Kwang Chang, director of research and development for Community College, Denver, Colorado (9857 East 16th Avenue, Aurora, Colorado 80010) indicated 18,000 (see table 2).

With the exception of possibly 3,000 Japanese Americans and probably about 1,500 Chinese Americans, the others are generally recent immigrants to the United States.

The longtime resident of Japanese American or Chinese American ancestry is generally of higher than average educational level and generally is fairly well off economically. The problems of the established Asian American is not in obtaining an education, or a job, or a home for himself and his family; the problem is usually a question of being promoted to the highest level of his or her ability.

Because of America's preoccupation with discriminatory practices against blacks for some 200 years, and because of an awakening conscience about discrimination against Hispanics and native American Indians, extraordinary efforts are made to promote and recognize these groups. In these efforts—only too frequently—the equally or better qualified Asian American is passed over or is replaced.

In two specific instances in Denver, a Japanese American holding a high position with the regional office of Health, Education, and Welfare was replaced by a Hispana, who also had high credentials. No complaint is lodged because of replacement of the Asian American, but complaint is made that no equivalent assignment was ever made for the Japanese American official. Another example involved a Chinese American Ph.D. who was temporarily appointed vice president in charge of the Auraria Campus of Community College upon termination of a Spanish-surnamed educator. Although the record is clear that this Chinese American educator was performing superbly as the administrative head of this branch campus, he was replaced by a Spanish-surnamed educator—also with a Ph.D.—solely because the student body was heavily Hispanic and in order to provide a top level position for a Hispanic.

Small Business Administration

As set forth in appendix A (attached), it was learned that the U.S. Small Business Administration (SBA) eliminated Asian American businessmen as "minority businesses," although there is no question that Asian Americans do constitute a minute minority in a white America that is preoccupied with blacks and Hispanics.

Because the economic base of Japanese Americans was wiped out in 1942–46, and because the vast majority of Asian Americans in the United States do not have a solid business base from which to operate, it is our position that the Federal Small Business Administration must include Asian Americans in the category of "minorities" in those specialized cases where assistance is obviously needed in order to make a business venture successful.

We would not argue that a Minoru Yamasaki or an I.M. Pei be granted SBA loans, but, on the other hand, we would point out that are multimillionaires among the black and Hispanic populations in the United States. Most emphatically, we do not believe that aid to blacks and Hispanics should be diminished, or that the interests of the blacks and Hispanics be pitted against Asian Americans or native American Indians, but rather that special consideration also be offered to all disadvantaged groups.

Fundamental Violations of Civil Rights

During 1942, as a result of the anti-Oriental mindset of certain military and governmental officials, 120,000 persons of Japanese ancestry were forcibly removed from the west coast and incarcerated in desolate desert camps in clear violation of their human rights. No charges were ever filed against individuals that resulted in a conviction and sentence to such camps. Because such persons of Japanese ancestry were incarcerated during World War II, the financial losses to that group of people exceeded $40,000,000.

Completely aside from the financial losses, the denial of the right to peacefully assemble, the right of the people to keep and bear arms, the right to be secure in their persons, papers and effects, the right to be charged by a presentment or indictment, the right not to be deprived of liberty or property without due process of law, the right to a speedy and public trial, the right to be confronted by witnesses against him, the right to have assistance of counsel, the right to bail, and the right to be free from cruel or unusual punishment, were all denied to persons of Japanese ancestry during World War II in the shameful and unwarranted evacuation and internment of all persons of Japanese ancestry on the west coast. The irony of this whole episode is that three-fourths of those evacuated and interned were United States citizens and 23,000 subsequently served in the Armed Forces of the United States with outstanding gallantry and heroism. The previously untold story is that some 8,000 of these Japanese Americans served in the Pacific Theatre in operations against the nation of their ancestry.

We are cognizant of the fact that United States Supreme Court in the cases of *Hirabayashi v. United States*, 320 U.S. 115 (1943), and *Yasui v. United States*, 320 U.S. 115 (1943), ruled that imposition of military curfew orders against civilians was a proper exercise of war power, despite the fact that these military orders were applied against United States citizens on the basis of race, and race alone. Further, the case of *Korematsu v. United States*, 323 U.S. 214 (1944), held that military orders were constitutional even though requiring removal of persons on the basis of race—by a six to three decision.

We are particularly concerned, at this time in history, that these decisions of the United States Supreme Court still exist as law of the land. We are well aware that these decisions are like a loaded gun pointed at the head of every United States citizen and that in times of emergency or crisis this weapon could be used to deprive innocent people of their basic constitutional rights. We know that given the anti-Orientalism of the west coast—in the event of problems with the People's Republic of China—this weapon might be used against American citizens of Chinese ancestry and perhaps against other United States citizens of other unpopular ancestries.

As part of its national campaign to seek means of deterring the use of such military orders to deprive United States citizens of their basic constitutional rights, the Japanese American Citizens League has embarked upon a campaign for redress for the wrongs committed by the United States Government in 1942–46.

When the United States is attempting to stand up in the world as the protector and champion of human rights, it does not enhance the image of the United States to have that kind of indefensible record. Moreover, when the United States Government is trying to persuade the People's Republic of East Germany to appropriate reparations for Jewish victims of the Holocaust, it does not appear to be consistent for our Federal Government to make these pleas with such an uncorrected blemish in our history. We know that the experiences of extermination and horror suffered by 6 million Jews in Europe so far surpass the experiences of Japanese Americans in the United States—that there is no comparison, but we believe the nation preaching freedom, liberty, brotherhood, and democracy can ill afford to leave unredressed the injustices of the past.

We believe that this is an issue that affects all Americans and would have specific applicability to persons of Asian background because the record would show that the United States does, indeed, regard all human beings as human—and does not make a distinction in the case of individuals of Asian background.

The hope and dream of the Japanese American Citizens League is to build a trust fund which shall be used to protect and defend the human rights of all people in perpetuity in the name of those Japanese Americans who underwent the unmitigated injustice of evacuation and incarceration during World War II in their own native land.

Conclusion

Regretably, time does not permit the full exploration and development of the many issues confronting Asian Americans in the United States. We know that this great Nation does exert efforts to live up to the ideals enunciated in the Declaration of Independence and in the fundamental Bill of Rights written into the Constitution of the United States of America.

We believe in America; we are firm in our faith that these United States will continuously exert efforts to become a more democratic, more freedom loving, and indeed, the land of liberty and justice for all.

Statement of L. Ling-chi Wang, Assistant Professor, University of California, Berkeley

I would like to begin this presentation by expressing my gratitude for this unprecedented opportunity to present some of the major civil rights issues of Asian Americans to the Commission and its staff today and tomorrow. Even though a few State Advisory Committees of the Commission have, in the past few years, undertaken hearings at the State level, I believe this is the first consultation on Asian American civil rights issues by the full Commission since its founding.

I remember it was in 1971 that the Chinese for Affirmative Action (CAA), a community-based civil rights organization in San Francisco, first apprised the Commission staff in Los Angeles of the need to deal with the unique civil rights problems of Asian Americans and to include Asian Americans on the staff, State Advisory Committees, and, indeed, the Commission itself. It took a few years to put a few Asians on the staff and on the State Advisory Committees. It took a little longer to include Asian American concerns on the agendas of the State committees with high concentration of Asian American population. This long, overdue 2-day consultation must, therefore, be seen as another step in our long and uphill struggle to have our voice heard and our long journey toward achieving equal opportunity in the U.S. With the support of this Commission, we hope to see the first Asian American appointed to this Commission in the very near future!

The first point I would like to make is: We cannot begin to comprehend the civil rights problems of Asian Americans unless we have an adequate understanding of the unique historical experience of each Asian group in the U.S. Even though each Asian group entered the U.S. at a different time in American history, the purpose for which the Chinese, Japanese, Koreans, or Pilipinos were brought was not different from the African slaves or the Mexican braceros—to meet the periodic demands for cheap labor in the mines, railroads, agriculture fields, and manufacturing industries in the fast, expanding west coast economy. Thus, between 1852 and 1882, the year when the first racist immigration law was enacted by Congress to single out the Chinese for total exclusion from the U.S., about 300,000 able-bodied Chinese men were brought into the West. Moreover, during the critical transitions from plantation to industrial economy in the South and from keen competition among large numbers of small manufacturers to domination by industrial giants in the East, Chinese coolies were, respectively, deployed for a brief moment to replace the emancipated black slaves after the Civil War in the South and recruited to serve as strike breakers in smaller eastern manufacturing factories.

Along the same line, but in a period after the exclusion of the Chinese, Japanese contract laborers were recruited predominantly as seasonal, migrant agricultural workers in California and plantation laborers in Hawaii. From 1890 to 1924, when the Japanese were permanently excluded by Congress like the Chinese, a total of 272,000 Japanese contract laborers were brought over to meet the serious labor shortage and rising labor cost and agitations in the West. Likewise, as another wave of demand for cheap labor arose, yet another Asian group, this time, some 150,000 Pilipino contract laborers, were enlisted between 1924 and 1934, when the Great Depression finally put an end to the long history of large-scale human transportation from across the Pacific. It was not until the late 1960s and 1970s when we witnessed similar massive migrations of Asians to the U.S.: the airlifting of about 150,000 Indochinese and the arrival of families and professionals previously excluded by our discriminatory immigration laws before 1965.

As our economy fluctuated between growth and depression, so each Asian group was successively subjected to the same brutal treatment as the Native Americans, Afro Americans, eastern and southern European immigrants, and Mexican Americans. Almost without exception, each economic crisis was accompanied by an anti-Asian movement. Among the major crises were the depressions of the 1870s, 1920s, and 1930s. Respectively, they victimized the Chinese, Japanese, and Pilipinos. These intense, nationwide anti-Asian movements were marked by widespread mob violence and political agitations and invariably they resulted in the passage of numerous racist laws, among them were the genocidal immigration laws enacted by Congress, beginning with those against the Chinese in 1882, the Japanese in 1924, and the Pilipinos in 1934. In other words, each Asian group was imported to meet a concrete demand for cheap labor, and each was subsequently excluded by law when each was no longer perceived to be needed or when it was no longer politically and economically expedient to continue its utilization. The series of exclusionary immigration laws, directed specifically at each Asian group, was designed to deport and exterminate the Asian population from the American soil because these laws had no provisions for Asian laborers to bring over their wives, children, and parents, and antimiscegenation laws in virtually every State barred most Chinese and Pilipinos, and some Japanese and Koreans from the possibility of normal family life in the U.S. To make life intolerable and totally hopeless, these restrictive and racist laws, upheld by repeated judicial interpretations, also rendered Asians ineligible for naturalization, on the one hand, and systematically evicted Asians from jobs, land, and businesses, on the other hand. They further suspended permanently Asian rights, privileges, and even sanctuaries in the white society. Let me just cite a few examples:

- California inscribed into its State constitution in 1879 this article: "No corporation now existing or hereafter formed under the laws of this State shall, after the adoption of the Constitution, employ, directly or indirectly, in any capacity, any Chinese or Mongolian. The Legislature shall pass such laws as may be necessary to enforce this provision. No Chinese shall be employed on any State, County, Municipal or other public work, except in punishment for crime." Almost immediately after the constitutional convention, the legislature enacted a law providing that any corporation "who shall employ in any manner or capacity. . .any Chinese or Mongolian is guilty of a misdemeanor."

- In the case of *People v. George W. Hall,* Chief Justice Hugh C. Murray of the State Supreme Court of California held that Chinese belonged to the category of Negro and Indian and as such should not be allowed to give evidence in favor of, or against, a white man. In his opinion, Murray wrote, the Chinese, Negroes, and Indians are respectively, "a race of people whom nature marked as inferior, and who are incapable of progress or intellectual development. . .as their history has shown. . . . If we could admit them to testify, (we) would admit them to all the equal rights of citizenship, and we might soon see them at the polls, in the jury box, upon the bench, and in our legislative halls." This ruling was sustained in *Speer v. See Yup Co.* and *People v. Elyea* in 1855 and *People v. Brady* in 1871 and remained in force until 1873.

- In another decision handed down by a Federal district court judge in California in 1870, the Chinese were held ineligible for naturalization and thus for suffrage. A similar case, the *Ozawa* case, was handed down in 1921 against the Japanese. This denial effectively prevented Asians from exercising their civil and political rights and deprived them of any weapon to protect themselves against lawlessness and racial discrimination. This court decision was eventually enacted into law by Congress in 1882 and remained in effect until 1943.
- The Alien Land Act of 1913 forbids "aliens ineligible to citizenship" from purchasing land and the Alien Land Act of 1920,

prohibits leasing and sharecropping. Both laws were aimed at Japanese, but are applicable to all Asians. These laws were not repealed until Nov. 6, 1956.

- Undoubtedly, the most flagrant violation of the constitutional rights of Japanese Americans was the signing of Executive Order 9066 by President Roosevelt on February 19, 1942, and subsequent Supreme Court ruling, justifying the internment of some 110,000 Japanese Americans in concentration camps.

It was against this oppressive background that Asian communities were established in isolated ghetto areas in American cities and rural areas. Politically disenfranchised, economically discriminated, and socially ostracized, the predominantly male Asian communities were, so to speak, left to their own devices and were controlled, to a large extent, by a quasi-government, made up of the merchant class and consulate officials from Asian countries, which happened to have some access to the outside world and often acted as intermediary between the communities and government agencies in the U.S. and in Asian countries. They operated ethnically oriented small businesses, ran sweatshops, and worked on menial jobs rejected by or noncompetitive with whites. Decades of neglect by government and exploitation by both Asian and white employers left Asian communities to this date with legacies of social, economic, and political problems common in all minority ghettoes in the U.S., to be discussed and elaborated during this 2-day consultation.

I just want to add that current popular beliefs, held most firmly by government agencies—that Asians have no problems, that Asians have made it, that Asians take care of their own problems, and that Asians are too proud to seek government assistance—are but persistent manifestations of the highly institutionalized government attitude toward Asian Americans of benign neglect. The latest example of this attitude came from none other President Jimmy Carter in his recent proclamation on the Asian/Pacific American Heritage Week. In his proclamation, President Carter treated discrimination against Asians as a thing of the past and proudly proclaimed, "We have succeeded in removing the barriers to full participation in American life. . . . Their successful integration into American society and their positive and active participation in our national life demonstrates the soundness of America's policy of continued openness to peoples from Asia and the Pacific."

Even while the President was proclaiming the successful integration of Asian Americans into American society, the Office of Federal Procurement Policy and the Small Business Administration were proposing regulations, based on the Addabbo bill, to exclude Asian

Americans from the "protected category," thereby denying them of the benefits given to minority small businesses.

The perpetuation of the historic quasi-government in the Asian community to this date further allows agents of foreign governments—especially the KMT [Kuomintang] from Taiwan, the KCIA from South Korea, and the operatives of the Marcos dictatorship—to rampantly violate the civil and political rights of Asian Americans with impunity.

It was against this bleak and hopeless setting that the second or the American-born generations of Chinese Americans, Japanese Americans, and Korean Americans, disproportionally smaller in numbers, emerged before the World War II. Convinced that the only way to break out of the low socioeconomic status and ghetto existence was to cast aside their language and cultural heritage and to become fully Americanized, most Asian parents, at great family sacrifice, sent their children to segregated schools, and pinned their future solely on their investment in education. Soon many American-born Asian Americans received high school diplomas while others succeeded in getting academic and professional degrees from colleges and universities. However, in spite of their educational achievements, they found themselves, upon graduation, able only to find jobs on farms, in hand laundries, restaurants and stores owned and operated by their parents, meaning in menial jobs not commensurate with their ability and training because of racial barriers erected within the highly segmented labor market. Those unwilling to put up with the second class citizenship reluctantly emigrated to China or Japan where their skills were needed, but their cultural environment was, ironically, alien to their upbringings because they were too successful in wiping out their Asian heritage.

It was not until during and after the World War II, with an unprecedented demand for skilled and technical personnel in war-related industries, that this pool of highly educated Asian Americans was recruited from their isolated communities and placed in the various newly created technical and clerical occupations.

However, it would be erroneous to perceive the new job opportunities afforded these well-educated Asian Americans in war-related industries during the war and throughout the Cold War as the definitive removal of the racial barrier and final acceptance or assimilation of Asians in the American mainstream, as many, including Asian Americans, have come to believe. To begin with, the war and the Cold War created a now famous and economically indispensable military-industrial complex which demanded large numbers of highly trained and technically competent personnel. Secondly, the composition of our labor force shifted dramatically from agricultural type of jobs in 1910 to the dominance of the white-collar type of jobs since the war. Specifically, these changes, along with the new changes in government postwar fiscal and monetary policies, meant a greater demand for highly trained technical and clerical workers. In the case of the well-educated Asian Americans, it was by necessity that they were drawn or drafted into the war industries, clearly not due to such politically charged notions of "success" and "assimilation." In other words, Asian Americans were recruited into a new expanding sector of the labor market—the war-related industries—in very much the same manner as their ancestors or parents when they were first brought over from Asian to meet the demand for a particular type of labor in the rapidly developing economy of the West.

There is no basis to conclude that Asians who now work in jobs labeled as "white-collar," either technical or clerical, should be construed as being "successful," "model," or "assimilated." I am certain that the panel on "Employment Issues," scheduled to appear before this Commission tomorrow, will demonstrate that the Asian participation in the labor market continues to be highly restrictive and limited. Careful analysis will show a disproportionaly large percentage of Asian Americans, especially among the non-English-speaking ones, are now working in substandard menial jobs in sweatshops and in service industry, while those well educated and considered to have successfully entered the primary sector of the labor market are found to be in only certain jobs that are race-typed, such as, engineering, accounting, and health technology for Asian males, clerical work for Asian females, segregated consistently by racial prejudice, lower salary schedules, restricted upward mobility, and inferior employment status and benefits. Popular stereotypes and pseudo-scientific studies suggesting Asian Americans are successful or fully assimilated, therefore, have virtually no material basis. Their sole function is purely political: to sidestep the important issues of racism in the labor market and to pit Asian minority group against other minority groups in the U.S. This, I submit, is both racist and divisive. From a public policy standpoint, this myth absolves the government of any responsibility of protecting the civil rights of Asian Americans and assigns Asian Americans to a permanent status of being neglected.

Census Issues

Chairman Flemming. The major subject to be looked at this morning has to do with census issues, and I'm asking my colleague, Commissioner Saltzman, to preside during this discussion.

Commissioner Saltzman. I'll ask the members who will participate in this section of our presentation to come to the platform all together, Ms. Nampeo D.R. McKenney, Mrs. Fortunata Azores, Dr. Keewhan Choi, and Dr. Roberto Mariano, Dr. Nack Young An, and an additional one, Mr. Tom Kim.

Nampeo McKenney will make the first presentation around census issues. Ms. McKenney works for the Bureau of the Census where she is chief of the Ethnic and Racial Statistics Staffs in the Population Division.

Ms. McKenney.

Presentation of Nampeo D.R. McKenney, Chief, Ethnic and Racial Statistics Staffs, Population Division, U.S. Bureau of the Census

Ms. McKenney. Commissioner and audience. I'm very please to have this opportunity to speak to you this morning. I would like to focus on the 1980 census in relation to the Asian and Pacific Island Americans.

Within the past decade, census statistics have been increasingly used for the formulation of Federal policy and the allocation of billions of dollars under both Federal and State programs. Thus, a census which accurately enumerates and classifies the population is of paramount concern to the Census Bureau and the Asian and Pacific American population, as well as to many other groups in our country.

The Census Bureau will be making every effort to improve the count of the population in 1980. I will briefly enumerate just a few steps which we are taking to achieve this objective.

First, the 1980 census will include some new and modified procedures designed to get an accurate count. Advisory committees on the Asian and Pacific Island American population and on other minority groups have been established to help the Bureau in planning the 1980 census.

A minority statistics program at the Bureau has been functioning for several years. Its primary objective is to coordinate the Bureau's total efforts to get an improved count. By the end of this year, 1979, about 200 community service specialists in 12 regional offices of the Census Bureau will be actively working in the local communities across the country, publicizing the census and seeking the assistance and cooperation of the communities in getting a complete count.

We are confident that we have taken the right approaches for achieving our objective. However, I cannot overemphasize the importance of getting the cooperation of the local communities, ethnic groups, and the respondents if we are to get an accurate count in 1980.

In the 1980 census, more information than ever before will be collected and published on the Asian and Pacific American populations. One of the major issues which the Bureau had to resolve in its early planning stages was how to best collect information on this population group. The procedures have not been finalized. In the 1980 census, as in past censuses, the basic information on Asian Americans will be obtained from a race question. This race item has been expanded beyond that used in 1970 and will identify the following Asian and Pacific Islander groups: Japanese, Chinese, Filipino, Hawaiian, Korean, Vietnamese, Asian Indian, Samoan, and Guamanian.

This race question is included on the short- and long-form questionnaires; thus data for all of these 14 racial groups will be available on a 100-percent basis.

The race item will also include an "Other" category with a space for a write-in entry. These write-in entries to the "Other" category will be coded on the sample questionnaires, and this coding will also allow for the separate identification of other Asian groups, such as Cambodian, Pakistani, etc., from our sample tabulations.

The race item is based upon self-identification; it doesn't refer to biological or anthropological concepts. In 1980 questionnaires will be mailed out to households in about 90 percent of the country; each householder will be asked to identify the race of its members. In those situations where the census taker visits the household to get the census information, they are instructed to ask the race question.

In the 1980 census, a great deal of information will be tabulated and published on the Asian and Pacific Island Americans. This is clearly indicated in our proposed plans for Volume I reports.

We will first publish 100-percent data, which will include counts and basic characteristics such as age, sex, relationship, and marital status in the Volume I, P–B reports. Inventory distributions of sample data, education, occupation, income, and migration will be presented in Volume I, P–C reports, and later on, detailed cross tabulations will be available.

For the first time in a decennial census, the Census Bureau will publish counts and characteristics of 14 Asian and Pacific Islander groups based on the race item. Attached is a handout which provides more detailed information about the specific groups, characteristics, and geographical areas for which data will be published in the Volume I reports.

A special Volume II report on Asian American populations is also planned for 1980. We are now in the early planning stages and working to develop the best approach for this report. Such a report may address some of the special issues and concerns which are of importance to the Asian and Pacific Islander community. We certainly would appreciate any comments or suggestions for the report.

In 1980 additional data on Asian and Pacific Islanders will be derived from items such as ancestry, current language, citizenship, and immigration. Copies of the questions are attached.

With regard to estimates of the undercount of the population, the Census Bureau is researching the problem of developing national estimates for various population groups. The basic difficulty is that there is an absence of certain information, such as vital rates, which is a necessary component of the estimation process currently in use for the white and black populations. At present, the limitations of the data and the process inability to devise an acceptable alternative technique have prevented the development of estimates of undercoverage among Asian and Pacific Islander Americans as well as some other groups in the census.

Before closing, I'd like to mention a potential source of data on the Asian and Pacific Island Americans. This is the current population survey (CPS). This is a representative sample of about 70,000 households. The race question format has recently been expanded so that Asian and Pacific Islanders can be identified. The new procedure will be completely implemented by early 1980.

During the next 2 years, we will be evaluating the CPS information to determine if we can publish data on the Asian and Pacific Islander population on a cumulative basis in the future.

Thank you.

COMMISSIONER SALTZMAN. Thank you.

Our next participant is Ms. Fortunata Azores, who is presently a graduate student in urban planning at the University of California in Los Angeles and is former chair of the Asian Census Advisory Committee for the Department of Commerce. Ms. Azores.

Presentation of Fortunata M. Azores, Former Chair, Census Advisory Committee on the Asian and Pacific American Population for the 1980 Census

MS. AZORES. Thank you, Mr. Commissioner.

My topic today will be on the census methodology and the development of social indicators for Asian and Pacific Americans.

In recent years, there has been increasing concern over quality of life. Census statistics have been used to detect changes in the social aspects of life in employment, education and housing, for example, and to monitor progress towards societal goals.

Public decisionmaking has relied heavily on social statistics for the direction that it takes. It is, therefore, extremely important that these statistics reflect the social condition of the Asian and Pacific American populations, as well as of the larger population groups in the country.

From published census data, however, it is difficult to find adequate measures that will provide meaningful quality of life indicators for Asian and Pacific Americans.

Current census data does not provide adequate descriptors for the Asian and Pacific American populations. This is due, in part, to the Census Bureau's past methods in data collection, aggregation/disagregation of data, and reporting of data. As an example, the 1970 census form had five Asian and Pacific American categories in the race question: Japanese, Chinese, Filipino, Korean, and Hawaiian, while no total count of Asian and Pacific Americans was ever made from the 1970 census. The Census Bureau did release estimates of the Asian American population but they always included only the three largest Asian subgroups.

In *We, the Asian Americans,* in a 1970 census publication, the inside front cover indicated approximately 1.4 million Asian Americans in the country. This number included only Japanese, Chinese, and Filipino Americans. In smaller print on page 3, however, the report acknowledged that 70,000 Koreans, 9,000 Pakistanis and 76,000 Indians were also counted.

Why were they not included in the total count of Asian Americans? Asian Americans are not as many as some other minority groups, but the count of their numbers has been made even smaller by the failure of the Census Bureau to properly identify them and to adequately report those that they are able to identify.

Obtaining a complete count of Asian and Pacific Americans involves more than getting proper identification categories for the relevant population groups. It involves an effective community outreach program in the hiring of bilingual enumerators from the respective Asian and Pacific American communities.

A great deal might be said about the methodology in these activities, however, my presentation will focus on the Census Bureau's methods of reporting. Assuming that the data collection procedures are perfect, the real test is in how the data are finally tabulated and displayed in the published reports. For no matter how the Census Bureau tries to be objective, the way it presents the data can create a bias in the interpretation of that data—a bias that can work to the detriment of the Asian and Pacific American populations.

A few examples will help illustrate how this occurs. Take the matter of educational achievement. Asian Americans are known to have high educational attainment. Census data supports this fact. Asian Americans also have a high dropout rate. Filipinos particularly are alarmed at the proportion of their youth population who do not go on to college after graduation from high school. Census data also support this fact, but the general public is not aware of this. Census statistics in published reports focus on the high educational attainment of Asian Americans. As a result, the impression is created that Asian Americans have equal opportunity in education and have no need to be included in affirmative action programs. It would be interesting to know how many or what proportion of the highly educated Asian Americans received their training in this country.

The census questionnaire has an item on language, the purpose of which is to get a measure of the number of persons with limited-English-speaking ability. The measure is needed for the implementation of the Bilingual Education Act and of the Voting Rights Act as amended in 1975. But Census Bureau publications do not show the proportion of Asian Americans that have limited-English-speaking ability.

The Census Bureau has published a separate report called *National Origin and Language.* It is one table listing a number of Asian and Pacific American languages but makes no reference to English language difficulty.

There is something special about this volume, however. In several of its tables the socioeconomic characteristics of the population are given by nativity, parentage, and country of origin. Only China and Japan are included in the countries of origin, but the manner of displaying the characteristics is very revealing and has great implications for Asian Americans in general. For example, there is one table on income and class of workers. It indicates a difference of over $5,000 between the median family income in 1969 of Japanese persons 16-years-old and over, who are foreign born and those who are native born.

In another table an unemployment status and occupation, the difference between the native-born and foreign-born Chinese males who are 16 years old and over is very obvious in the occupational distribution. It is especially evident in the category of service workers where 13 percent of the native born and 30 percent the foreign born are employed.

If significant differences like these exist in the socioeconomic characteristics of native- and foreign-born Americans, they should be made explicit in other publications, as, for example, the subject report on the Japanese, Chinese, and Filipinos in the United States, the single most comprehensive compilation of population characteristics on Asian Americans.

The model for publication of data in Asian Americans should be one that conceptualizes the Asian American population not simply as Asian Americans, but as native- or foreign-born Asian Americans.

Another subject report that bears mentioning is the one on school enrollment. Table 1 of that book relates to enrollment by ethnic characteristics including Chinese and Japanese ethnic groups. However, table 2 of the same book is devoted to enrollment status and year of immigration, but only of European-born persons 3 to 49 years old.

The table includes data for 21 European countries of origin. With the changing pattern of immigration to this country, Asian origin peoples comprising less than one-third of total immigrants, it would be hard to accept the continued emphasis on European immigrants in the publication and reporting of 1980 census data.

Just as the Bureau's abandonment of the concept of head of household is a reflection of its recognition of changing or emerging lifestyles in American, so must the Bureau rethink its policy in other areas to reflect a changing composition in the American population.

In December 1977, the Census Bureau came out with a book called *Social Indicators, 1976*. Its introduction has a section on ethnic diversity of the population and contains one table showing the Filipinos as a major source of immigrants since 1970. Another table includes Japanese, Chinese, and Filipinos in the racial breakout for certain socioeconomic characteristics. There are all together three tables on socioeoconomic characteristics by race or ethnic origin. However, the tables have different groupings of race or ethnicity and different sets of characteristics measured. There was no way of looking at the same characteristics across all groups.

The extent of Asian American coverage in this important document is in the two small tables in the introduction.

In the 11 main chapters of the book there is no mention of Asian Americans. Out of some 50 tables with racial breakouts, not one included an Asian American category. A book which is supposed to describe the current social conditions and trends in the United States has once again ignored the existence of the smaller population groups for whom the identification of the social conditions and trends is most essential.

The socioeconomic characteristics desired by Asian Americans and by the Pacific American populations as well, are obtained from sample data. However, there is a problem with the statistical reliability of sample data on the Asian and Pacific American population, particularly those that are obtained from the current population survey.

But there are plans to redesign the current population survey after 1980. It is hoped that whatever plan is adopted will provide a data base sufficient to derive statistically reliable measures on the Asian and Pacific American populations.

In summary, I would like to propose that the Census Bureau adopt the following procedures for 1980. One, publish a total count of Asian and Pacific Americans with breakouts available, not only for the major subgroups but also for the category, "other Asian."

Two, develop adequate descriptors for the Asian Americans, including breaking out the populations not just by subgroups but by place of birth, where such differentiation is most appropriate.

Three, explore alternative sample strategies in order to obtain statistically reliable data on the Asian and Pacific American populations. Activities in this area should be reported to the Asian and Pacific American Census Advisory Committee.

Four, publish adequate measures that will allow the formulation of meaningful social indicators for the Asian and Pacific American populations.

And five, publish data on the Asian and Pacific Americans in a manner that they can easily be compared with similar data for other population groups.

The Asian and Pacific American populations are not asking for special treatment. They are asking that statistics produced by the Census Bureau be as relevant for them as they are for the larger population groups.

Without those measures, policy and program planners, as well as administrators of various public and private institutions, will continue to ignore the needs of Asian and Pacific Americans. Asian and Pacific Americans will be deprived of equal opportunity to participate in affirmative action programs and to receive funds or services for which they may be eligible. This ideal of equal opportunity is a violation of their rights under the law and must not be allowed to continue.

A rethinking of Census policy and certain adjustment in the methodology will be the first step toward equalizing the opportunities for the Asian American population in this country.

Thank you.

Commissioner Saltzman. Thank you, Ms. Azores. The next presentation will be made by Dr. Keewhan Choi. Dr. Choi is a mathematical statistican at the Center for Disease Control in Atlanta.

Dr. Choi?

Presentation of Dr. Keewhan Choi, Statistical Division, Center for Disease Control, Atlanta Regional Office, U.S. Department of Health, Education, and Welfare

DR. CHOI. Thank you, Commissioners.

Ladies and gentlemen, the topic of my presentation this morning is the problem of the undercount for Asian Americans and Pacific Islanders. Even though there are 3 to 4 million Asian Americans and Pacific Islanders in the U.S. today, we have neither the accurate population count nor adequate information on their socioeconomic characteristics.

The 1980 census will provide us with valuable information on Asian Americans and Pacific Islanders. However, there are several problems in connection with the 1980 census. The most critical problem for the Asian Americans and Pacific Islanders is that of the undercount.

The United States Bureau of the Census had conducted extensive evaluation of the censuses conducted in 1950, '60, and '70. A common finding of these evaluation studies is that the undercount is a major problem, particularly for the minorities.

For example, blacks as a group and especially black males in the working age, have been undercounted far more than whites. No estimate of the undercount for the Asian Americans and Pacific Islanders is given in the 1970 census. For the reasons to be stated later, the undercount problem is much more severe for the Asian Americans and Pacific Islanders; the undercount of the Asian Americans and Pacific Islanders in the 1980 census and the population estimates made by the—will be made by the Census Bureau between the censuses will have serious consequences, namely political underrepresentation and unfair distribution of Federal and State funds for social service programs.

Accurate census data are needed for recognition of the political influence, the setting of goals in affirmative action programs, and support of bilingual and bicultural education of Asian Americans and Pacific Islanders. Also, an adequate data base is essential to measuring your progress under various social programs and to measure the effects of policies and programs to remedy past discrimination.

For the 1970 census, the Census Bureau estimates the undercount rate to be 2.5 percent for the whole Nation, but over 18 percent for black males of 20 to 34 years old. I estimate the undercount of Asian Americans and Pacific Islanders in the 1970 census to be well over 20 percent.

Main reasons for the undercount are language difficulty, non-Western cultural backgrounds of ever-increasing numbers of new immigrants, and crowded housing conditions, among others.

Let me elaborate on some of these points. The undercount of the Asian Americans and Pacific Islanders are, in part, due to large numbers of immigrants each year since the repeal of the quota system based on national origin in 1965. In 1970 it was estimated that there were 2 to 2.5 million Asian Americans and Pacific Islanders. By 1980 it is estimated that there will be 3 to 4 million Asian Americans and Pacific Islanders.

Each year the population of Asian Americans and Pacific Islanders increased by approximately 100,000 to 150,000. The majority of the recent immigrants are non-English speaking and from non-Western cultural backgrounds, and they do not understand census forms and procedures.

Another reason for the undercount is the crowded housing conditions for new immigrants. In many cities, it is quite common for more than one family to live in a single apartment. Because of the language difficulty, it is most likely that only one family will be enumerated in the census for such multifamily dwelling.

The recommendations to remedy the undercount problems are: One, precensus information campaign through community organizations and ethnic newspapers; two, census questionnaires and the instructions to be translated into each of the major Asian languages and the census enumerators particularly in cities with large concentration of Asian Americans and Pacific Islanders should be bilingual and bicultural; three, special postenumeration survey which is modeled after the Census Bureau's monthly current population survey is needed. Such survey should cover approximately 5 percent of the Asian American and—Americans and Pacific Islanders.

Such survey will provide us with, one, adequate information on socioeconomic characteristics of the Asian Americans and Pacific Islanders; two, the undercount rate; three, the accurate number of new immigrants; four, immigration record and vital statistics of the Asian Americans and Pacific Islanders should be linked with their census records.

Thank you.

COMMISSIONER SALTZMAN. Thank you.

Our next speaker is Dr. Roberto S. Mariano. Dr. Mariano is currently on leave from the University of Pennsylvania to teach economics and to pursue research interests at the Berkeley campus of the University of California.

Dr. Mariano.

Presentation of Dr. Roberto S. Mariano, Associate Professor of Economics, University of Pennsylvania

DR. MARIANO. Thank you.

I am supposed to talk about the impact of census issues on Asian/Pacific Americans, and that is what I'll try to cover in this 10-minute presentation.

At the very outset let me point out that there is indeed an information gap regarding Asian/Pacific Americans. Their socioeconomic conditions and needs remain undocumented on a national and regular and reliable manner.

Such paucity of comprehensive data and the consequent lack of public awareness and appreciation of Asian American problems may have led to remarks like: "Why worry about the Asian Americans, they're doing well anyway. They can take care of themselves. Their undercount in the 1970 census could not have been any worse than for whites since they are such an educated group."

Such remarks may also have come out of myopic impressions drawn from aggregate information from the 1970 census. At first glance, such data from the 1970 census may indeed indicate that Asian Americans are well off in terms of income, employment, education, and returns to schooling. However, appropriate adjustments should be introduced because of the reality that there are multiple workers in Asian American families and that most Asian/Pacific Americans reside in high cost areas in the U.S. Also, a more relevant comparison is with non-Hispanic whites, instead of the overall nationwide averages, because disadvantaged groups in the overall population will tend to lower national averages and thereby artifically inflate the status of Asians.

When such appropriate adjustments and comparisons are made, a different and rather disturbing picture emerges, showing indeed a clearly disadvantaged group. For example, Filipino and Chinese men are no better off than black men with regard to median incomes in standard metropolitan statistical areas like Los Angeles, San Francisco, New York, Chicago, and Honolulu, where there is a high concentration of Asian Americans. There is also considerable evidence of underemployment and in SMSAs with large Asian populations there are economic substructures such as Asian-owned or Asian-family businesses which provide increased employment but at the price of depressed wages.

It is sad to say that, to this date, for a profile of Asian/Pacific Americans on a national level, we still have to fall on 8-year-old data coming from the 1970 census. Thus, we look forward to the 1980 census for a more recent picture of the Asian/Pacific American scene, to erase myths and misconceptions about the well-being of Asian/Pacific Americans. But beyond that, the coming census will hoepfully create an impetus towards the development of a mechanism for generating reliable comprehensive data on a regular basis for

Asian/Pacific Americans. The conduct of the 1980 census will have far reaching effects towards the documentation of the conditions and needs of Asian/Pacific Americans, and the consequent verification of public and government perceptions of these needs at various levels of government.

Basic census information such as sheer count of a minority subpopulation and its regional distribution provides the essential framework for legislative approval of government projects and allocation of funds. Furthermore, because of the timing of the census and recommendations by various commissions like the National Commission for Manpower Policy and the National Commission for Employment and Unemployment Statistics, the results of the coming census will also directly impact on the possible redesign of the current population survey towards the development of more reliable data for minority groups.

This interphase between the census and the redesign of the CPS makes this coming census even more important to Asian/Pacific Americans. For, as I argue in this paper, I feel that the CPS has the best potential for providing a comprehensive, reliable, and regular data base for the socioeconomic demographic profile of Asian/Pacific Americans. The importance of such a data base, with equal emphasis on coverage, quality, and timeliness can hardly be stressed often enough. For example, in the area of equal employment opportunity, policy actions have focused on promoting equality in labor market opportunities for all racial and ethnic groups. Data systems, consequently, should reflect these policy goals to enable the policymaker to measure the labor force status of minority groups.

Given all these considerations, I will now proceed to cover three topics which I related directed or indirectly to the 1980 census and which have immediate impact on the clarification of Asian/Pacific American issues. These are: One, the census undercount of Asian/Pacific Americans; two, reporting of Asian/Pacific American data; and, three, the current population survey. I will briefly discuss some of my comments on these three topics; more details are contained in the report I will submit to you.

With regard to the census undercount, the problem has been discussed extensively in the Census advisory committee and also partly by earlier speakers. It bears repeating that it is of utmost importance that the undercount of Asian Americans be controlled at a minimum. The effects of serious undercount errors would be real and critical in terms of the impact on the allocation of government funds and also on decisions which the Census Bureau will subsequently make regarding possible modifications of the CPS towards better coverage of Asian/Pacific Americans. This impact, especially the first, becomes even more critical given that State and local estimates of unemployment are used in the allocation of Federal funds for employment and training programs. And also the National Commission on Employment and Unemployment Statistics has analyzed in its preliminary report the possibility of basing the distribution of funds on the decennial and mid-decade censuses. This same commission has also suggested expanding the size of the CPS to obtain more reliable data for minorities, States, and major SMSAs.

With regard to data reporting and data analysis, the earlier examples that I've given about misconceptions arose out of reporting in the 1970 census. Appropriate documentation, to my mind, means not only the collection of appropriate data, but also, and perhaps even more importantly, appropriate interpretation and presentation of the information in the data. Because of the diverse ethnic composition within the Asian/Pacific American group, data collected and reported should shed light on the varied heterogeneous needs of the various Asian groups. Some of these needs are quite visible to the public eye, as in the case of the refugees from Southeast Asia. Some, on the other hand, can persist and remain unnoticed and remain unaddressed unless they are brought to the attention of the public and of government agencies and government officials. Witness the abysmal ghettos of second- and third-generation Filipinos in Honolulu.

One suggestion for the 1980 census is the preparation of a comprehensive special subject report on Asian/Pacific Americans covering all the major Asian ethnic groups and distinguishing between native born and foreign born. For States like California, Hawaii, Illinois, New York with significant Asian/Pacific American population, there should be a breakdown of data by race to identify the Asian category and, whenever possible, identify ethnic origin as well.

With regard to the current population survey, the current situation is that Asian Americans are not identified at all; instead, they form part of a residual category in the question of race—white, black, other—and they are lumped with blacks in the tabulation of results. There are, of course, going to be changes to correct this situation. I presume these changes will be implemented sometime this year, at least by way of identifying Asian Americans as a race.

The sampling design for the CPS is probabilistic—implying that relative representation of minority groups in the survey will be directly proportional to their relative size in the population. Thus, for Asian Americans, the relative reliability of estimates obtainable from the survey as currently designed must be tremendously low, considering that this group comprises only about 1.2 percent of the total population based on '76 figures, as compared to 5.2 percent for Hispanics and 11.2 percent for blacks.

One possibility is for the Census Bureau to oversample from this subpopulation, and the Census Bureau has already done some preliminary studies along these lines. These were reported in the Workshop on the Employment Status of Asian/Pacific Americans, held in Stanford, California, last August 20–25, 1978, which Professor Dutta will be talking about later on in this consultation.

Calculations from these studies indicate that annual average estimates of Asian/Pacific American total population, civilian labor force, employment and labor force participation rate will have fairly reasonable coefficients of variation ranging between 1.2 percent and 3.3 percent. On the other hand, despite aggregation over the whole year, the unemployment rate will still have a relatively higher coefficient of variation, about over 10 percent.

However, Census Bureau representatives in that conference indicated that costs involved in, say doubling the Asian/Pacific American sample in the CPS, are well within reasonable limits. I pose the following question now to the Bureau of the Census: Would it not be possible to obtain reliability at reasonable costs by doubling or even tripling the Asian sample and aggregating over a period of 1 year? I myself cannot answer this question now but hopefully, it will be possible for the Commission to elicit some response from the Bureau of the Census.

The National Commission on Employment and Unemployment Statistics actually recommends biennial publication of aggregate CPS estimates of labor force statistics for small minorities like the Asian/Pacific Americans. This once every 2 years publication of indicators, if they are to guide and support policies, represents, to my mind, too long a gap, especially if the current trend of high immigration rates from Asia continues. So I would argue for a 1 year aggregation to start with rather than 2 years as has been recommended by other commissions.

In conclusion, I have argued here that the needs of many Asian/Pacific Americans are real. This gathering of Asians is indeed impressing but it must be tempered by awareness that there are pressing problems and that many second- and third-generation Asian/Pacific Americans are suffering as members of an invisible minority.

The existence of Asian/Pacific American Heritage week is an important step. The deliberations in this gathering should be an eye-opening and perhaps even painful experience for both Asian/Pacific Americans and the government. There is a false sense of well-being, a misconception nurtured in the mind not only of the public but also of many Asians themselves.

The 1980 census, properly implemented and analyzed, will provide the appropriate documentation we need to see how the Asians, indeed a disadvantaged group, as shown by microdata from the 1970 census, have fared over the last 9 or 10 years. After 1980, we argue that the current population survey will be the best vehicle for timely, comprehensive, and reliable information on the socioeconomic profile of Asians. The redesign of the CPS is not an unrealistic request. It can be done at reasonable cost; it certainly will be a significant step forward.

Beyond the census and CPS data there are other data information sources, which, in some cases, document these problems in an even more blatant and conclusive fashion. For example, I gather that within the U.S. Commission on Civil Rights itself, in the past few years there has been an ongoing national project on Asian and Pacific Island Americans. A study of this magnitude will certainly be of great help in providing some answers to the questions and problems that are going to be discussed in this consultation, and hopefully it will be possible for the Commission to share with us during this conference, the important highlights of this study.

There are, indeed, problems; many problems are pressing; we cannot expect an overnight change, an overnight solution, but the problems are there, and there is no better time to act than now.

Thank you very much.

COMMISSIONER SALTZMAN. Thank you, Dr. Mariano.

Our next presenter is Dr. Nack Young An. Dr. An is a professor of political science at Georgia State University. We are particularly pleased to welcome Dr. An, who is presently a member of this Commission's Georgia State Advisory Committee.

Dr. An?

Presentation of Dr. Nack Young An, Professor of Political Science, Georgia State University, Atlanta, Georgia

DR. AN. Thank you very much.

I'd like to add my word of thanks to the Commission for this opportunity. I feel that the needs for accurate count in the census and the importance of all the matters involved in the census and the importance of all the matters involved in the census process have been adequately demonstrated by the previous speakers, and therefore, I'd like to address myself primarily to some of the problems that seem to be hindering in the census process.

I come from an area that has not been traditionally considered a favorite Asian habitat, namely the southeastern part of the United States. And some of the problems that militate against the census have been already addressed by Dr. Choi, who's also from the same area, but I feel that his comments were somewhat broad and general or applicable to the entire Nation. And I'd like to address myself more specifically to the problems that may be germane to the Asian American communities in our area.

If those problems that have been already addressed are serious enough nationally, I should say that they are even more acute in the southeastern part of the United States because most of the Asians in that area are recent immigrants, and a large percentage of the people have come to the United States within the last 3, 4 years. And therefore, their problems are much greater than the problems that may be faced by their counterparts in other parts of the United States.

I would like to point out at least three areas where the problems may lie. Number one is, of course, a language barrier. This is an extremely acute problem for the Asian Americans in that area because 99.9 percent of them are, as I previously indicated, recent immigrants, and very few of them are in professional categories. And many of them are engaged in rather menial type of labor, and their level of education is relatively lower than I would say that of the Asian population at large in this country.

And, therefore, I would estimate that over 50 percent of the Asians in our region would have very difficult time really handling the language pertaining to the census taking, and on top of all this there is a subtle fear or the mistrust of government that they carry over to the United States from their own native lands.

Many people from Asian countries are not socialized politically to trust in their government, and there's a considerable fear among the Asian Americans that the census data information that they provide may be used against them in some ways, and we need to do something to alleviate or allay that kind of fear before we can expect them to fill out those forms and cooperate in the process.

And another area, of course, in addition to those, is that these people have no understanding of the significance of a census. They come from rather homogeneous societies back in Asia, and never really experienced anything like the way census data have been in the United States in allocating Federal resources. Moreover, they don't understand the political significance of being counted. And there are major problems that need to be surmounted before we can achieve something that approximates the accurate census in 1980.

Perhaps I should suggest that, in addition to some of the things that the Census Bureau has already undertaken, additional steps be taken in order to reach the Asian communities at the grassroots level by waging a massive campaign through workshops and through newspaper accounts in order to disseminate the information. That will undoubtedly contribute toward allaying their suspicions and coming to the recognition of the importance of participating in the census. By doing so, we may be able to narrow the gaps, maybe lower the percentage of the undercount from over 20 percent that Dr. Choi has estimated, to perhaps down to more acceptable level of 4 or 5 percent.

In the absence of these concerted efforts, I fear that the rate of undercount may be even higher in 1980 than it was in 1970 because of the massive infusion of new immigrants; the ratio between the natives and the new immigrants is much higher in 1980 than what it was in 1970, and therefore I hope this Commission will bring to the attention of the Census Bureau the importance of adding further efforts to reach the Asian communities at the grassroots level.

And even with the accurate count, Asian Americans will still constitute a tiny fraction of the population in the United States; but, because of the very strategic political, geographical location of Asian Americans in the United States, namely in California and New York with the largest electoral votes in the presidential election, the Asian Americans may be counted among significant political strata that political candidates may pay some attention to.

So that concludes my remarks. Thank you very much.

[Applause.]

COMMISSIONER SALTZMAN. Thank you, Dr. An.

Our final presenter is Mr. Tom Kim. Mr. Kim is the director of the Korean Community Center in San Francisco which provides legal, social, mental health, immigration, and senior citizens services.

Mr. Kim.

Presentation of Tom Kim, Director, Korean Community Service Center, San Francisco, California

MR. KIM. Thank you.

My name is Tom Kim, and I work within the Korean community and maybe that would be my strongest perspective today. I was asked to talk about the impact of the census in the community. I think the first statement I would make is the fact that my family—I have my son—my oldest son will be 18 next year in 1980. So that means that my family waited 18 years until the fourth generation before being counted as Korean Americans in America.

I don't count that small figure that you talk about that's supposed to have come out in '70; we never saw, so far as I'm concerned—my family waited 18 years into the fourth generation before being counted as Americans. I think that in terms of impact this is what I—where I'm coming from.

I think that one of the first things that I must bring out is the fact that the Korean community is a 90 percent immigrant community, but that immigrants, when coming to America, have endured a difficult process, a prolonged and arduous process, before they even get to America. And when they come to America they come to become American citizens, to participate fully in American life, and we have a country here, the United States, which consists of a pluralistic mosaic that was created by immigrants from a diversity of cultures. With the exception of Native Americans, every one in this room can look at their roots in the contents of another country.

So we are a country of immigrants, and there's no question that the various cultural pluralities that exist form a flexible and pluralistic society; which means that this country can actually draw from all the different cultures rather than to deny.

So that what I'm saying is, basically, a permanent resident or an immigrant should not be treated as a second-class citizen when they came over to become citizens and they have to wait to be naturalized.

Basically, we work very closely with other Asian communities. While we consider ourselves with other Asian American community, it is critical to understand while there are important commonalities amongst these groups, there are also critical significant differences.

These differences in historical background culture, previous political relationship, language, immigration patterns and ways in which each group has responded to the culture of this country, make each group a distinct entity with distinctive patterns of social services.

The very term Asian American many times has become a political statement. And I think that is one of the things that we must look within the Asian and Pacific Island context and recognize that we have these very distinct different groups. And with all due respect to every community, I think if you're going to work with the Asian and Pacific Island communities, if you're dealing with the Chinese community, you must talk to the Chinese community. If you're talking to Japanese community, you must be talking to the Japanese, Korean, Filipino, Guamanian, what have you, right on down the line.

I think that when you use the word Asian, I feel that I cannot speak for other Asian groups because I really don't know what's happening in all the other Asian groups and I will not pretend to. I think the key thing is to respect our individuality, respect our differences, and also respect our commonalities.

But at this time it's at least a pleasure to see a mix, for the first time, where we see a strong mixture of Chinese, Japanese, Filipino, Pacific Islanders; I think it can be improved but we see the beginning.

Also, I think that in terms of data collection, you must remember large immigrant populations are very suspicious, as Dr. Nack An said earlier, and I think that you must be very careful in approaching immigrant populations. Interviewers must be carefully developed, take into consideration the characteristics of a less acculturated community.

I think, again, this talks about the differences between the different ethnic groups, and you must be aware of them and not treat all Asians as alike. We are not homogeneous; remember also the higher percentage of an immigrant population means more potential of a lower count.

Secondly, I agree with the ACLU that there are problems of privacy and confidentiality in the design of the 1980 census; we feel that the Census Bureau information should not be matched against records kept by the Internal Revenue Service, Social Security Administration, Defense Department, or other government agencies.

Although the Census Bureau has pledged this information is confidential, this recent information is due to the disclosure of the lack of confidentiality of government agencies in the past. Also, we agree that after names have been verified, the personal identification on census information should be destroyed rather than kept on computer tapes.

We take the strong position on the confidentiality of the census because past governmental agencies have not honored pledges of confidentiality, but I don't think that happened with the Asian Americans. I think that without going into a lot more; I think two—three points that I brought out—we feel is very important in terms of looking at each group separately—also looking at the regional differences, and if you want to bring out the west coast to compare Asians, Los Angeles, San Francisco, and Seattle, to use the methodology of one city and to take it to another city, you will find that there is no way it will work because all three cities are so different, that if you tried to use the same basic approach, maybe it will work in one but it sure won't work in the other two.

And in terms of methodology and terms from where the community is coming from, I think that, to be very specific, the—that the Census Bureau should be reaching out to the ethnic newspapers, the television stations, the community-based service agencies, organizations, groups, and churches, and give proper notification for publicity purposes before the Census Bureau's implementation of its survey. The Census Bureau should develop close working relationships with organizations mentioned above for the purpose of consultation and for regarding appropriate sensitive methods of outreach and implementation.

The community-based service agencies can be utilized as help centers for bilingual assistance in filling out the census questionnaires and public information, that census field offices be based in the target communities; this can be facilitated by community-based agencies on a contract basis.

Multilingual flyers to include Korean translations also should be prepared to explain in simple terms confidentiality and the need and reasons for an accurate count in the census, and also equitable allocation of public resources. These multilingual flyers should be distributed to postal offices, other government public agencies, hospitals, health clinics in the areas and zones which have high concentrations of Asian residents in addition to above-mentioned community organizations. In other words, what we're saying is that wherever you know there are Asians, that these multilingual flyers be sent out to that area so they know how to respond and be given the information needed; also, that multilingual flyers be utilized and developed for field visits when people are not at home or cannot be reached so that responses can be made.

It must be noted that Asian immigrants, especially senior citizens, children, and housewives, are highly suspicious, oftentimes reluctant and fearful of strangers who represent government agencies.

Permanent residents should be hired for bilingual enumerator positions. Among the recently arrived in Asian communities, there is a scarcity of naturalized citizens; for these communities hiring priorities should be given to bilingual citizens and one of the issues, that a naturalized or a citizen be hired first and a permanent resident would be hired second if you cannot find a bilingual citizen.

Well, if you have a 90 percent immigrant population, you know what's going to happen. So if you exhaust all the various lists that exist and by the time you decide to go out and look for others, you will have wasted so much time that you will not be able to find enumerators for our communities.

So what I'm saying is that you should directly deal with that issue and not for any other reason than to facilitate the census, and I think I would even say that if, and I think if, you talk to or whoever the powers to be, but I think that if you just lifted it even just for the census, in terms of hiring permanent residents, I think something must be done because you've got to start now; that—and also that total tabulations of printouts are given regardless of whether or not the count is under 5,000. In other words, we want total interest printouts of all figures, all—at all times, and that community specialists be increased throughout the Nation with comprehensive bilingual material and bilingual contract service backup in local areas.

Above all, any agency, be it government, profit, or nonprofit, must contact members of the respective ethnic group to be involved before, during, and after the issue if any work is to be successful and relevent.

Also, we support fully the Senate Joint Resolution 23 by Senators Matsunaga and Inouye, related to the publication of economic and social statistics for Americans of East Indian, Pacific Island, and Asian descents. And I think I want to bring out just one little point.

Here we're talking on Asian Heritage Week, and before I left San Francisco I was made aware of the fact that the Small Business Administration has just excluded Asians as a minority. And to be quite frank, I think this is a very dangerous precedent to be set at the Federal level. And as I sit in front of you, the U.S. Civil Rights Commission, we are aware of the fact that they're excluding us already—I, as a minority. Please be aware of this and let it be known that this is not to be done.

Thank you.

COMMISSIONER SALTZMAN. Thank you, Mr. Kim.

[Applause.]

I'd like to remind you of a statement by the Chairman, Chairman Flemming, that we would be happy to receive your more full presentation papers if you wil leave them with the staff.

At the time I'll turn—we have a few brief moments left for questions from my colleagues.

Ms. Freeman?

Discussion

COMMISSIONER FREEMAN. I want to thank each of the panelists for a very excellent presentation. The subject of undercount is one in which you know and have indicated all minorities have a real concern, and since this has been stated so well by each of you and there have been certain specific recommendations to the census, or in connection with changing it, I would like to ask Ms. McKenney if she would want to respond to ways in which she perceives that the census can improve and will, if she wishes to respond, to the recommendations which have been made?

MS. MCKENNEY. A number of specific recommendations have been made here today, and during the past 3 or 4 years, similar recommendations have been received from people across the country.

We have taken a number of steps which will address these concerns. For example, with reference to the recommendation about using bilingual census takers, the Bureau will use every means to hire bilingual enumerators. In areas where there are concentrations of non-English-speaking persons, we will make every attempt to hire workers who are bilingual. But we will need the communities' help to encourage people to take the census jobs. And here again I would like to emphasize the importance of the community leaders encouraging people to work in the census.

There will be a massive publicly campaign mounted in connection with the 1980 census, accomplished through several avenues. First, there will be a campaign through the advertising council, and we have made it very clear that there must be publicity geared to minorities—to the Asian and Pacific Islanders, blacks, Spanish, and other groups. The minority component will be an integral part of our advertising campaign.

The community services specialists will publicize the census. There will be 200 people across the Nation going into the communities, talking to the local leaders of ethnic groups and asking them to work with us. We will ask well-known people in the local communities to make public announcements of us. Articles will be printed in local ethnic newspapers. We will also conduct workshops on the 1980 census with national, regional, and local groups. Our community services representatives and other staff in our regional offices will be available to conduct workshops in the various local communities.

With regard to the specific recommendation about the use of citizens and noncitizens, we are restricted by laws and regulations which require that citizens must be hired first.

However, when we cannot meet our hiring needs through the use of qualified citizens, then we will hire bilingual persons who are not citizens of this country.

Concerns were raised about the large number of immigrants and the difficulties that immigrants have with the English translation of the questionnaire. And we agree with you that it is a problem, and we're trying to address it. First, as I said before, we will try to use bilingual census takers in areas with a high proportion of non-English-speaking residents. However, if a census taker goes to a household and the people in the given household do not speak English, then the census taker is instructed to notify his or her supervisor so that a bilingual person can call and get the information.

We will have copies of the instructions for the questionnaire along with a number of publicity materials translated into a number of languages. The census takers would have this instruction guide to use in asking the census questions.

MR. KIM. May I respond, just 1 second? To—to give the Commissioners a chance to ask their questions.

Dr. Flemming?

CHAIRMAN FLEMMING. Well, I was going to ask a similar question of Ms. McKenney. Did you complete your answer to Commissioner Freeman's question?

Ms. KCKENNEY. Yes, I did.

CHAIRMAN FLEMMING. Well, I was going to ask, as I note here, Ms. Azores was a former chair of the Asian advisory committee of the Department of Commerce.

You've listened to Ms. McKenney's initial presentation, you've listened to her responses to this particular question. Are there areas that you feel still need to be addressed?

Now, I just simply ask you to identify the areas and we'll have to elaborate on it later, because we are running short on time, but if there are certain areas that you feel still need to be addressed, that are of concern, why, if you would just identify those, then we'd have that in front of us.

Ms. Azores. I think that we have addressed everything, all the important ones that need to be addressed. We discussed a lot of these in advisory committee meetings. At this point the questionnaires are already at the printers, I think, and there's nothing we can do about the content of what is going to be asked in the census.

We are still working on the community outreach program. Community involvement has to be a continuous thing that we all have to do until census day. The next thing that we are going to be addressing is really on the matter of how the census is going to report the data that they will finally get. That is why my talk focused on that.

We haven't really gotten to the topic of reporting at our advisory committee meetings but that will be one focus in the future.

Commissioner Saltzman. Thank you.

Mr. Nunez?

Mr. Nunez. Yes, Dr. Choi, this Commission over the years has taken a great interest in the census and the undercount, and I was interested in your population estimates. As I understood what Ms. McKenney originally said, the 1970 census indicated that there were approximately 1.4 million Asian Americans, and you indicated that perhaps there were 3 to 4 million in your estimate, and then you indicated that there was an undercount of about 20 percent.

Two questions I would raise here. I'm not quite clear how you estimated the 20 percent undercount. We have found that it is a complicated procedure to try to figure out the extent of an undercount and I'd be interested in how you came to the 20 percent.

And secondly, getting to the 3 or 4 million people, even assuming a 20 percent undercount and assuming an increase of 100,000 a year over a 10-year period, you would not get near 3 or 4 million, so I wonder if you could respond to both of those questions?

Dr. Choi. What my estimate was by 1980 there will be 3 to 4 million. The reason I use such a wide range of figures is because that's about the closest estimate you can get by reviewing all the existing literature.

By 1970, again when the people quote the figure approximately 1.5 million, that's a severe undercounting. Because each year the census, starting about 1968—large number of immigrants are coming in, well over the national quota, 20,000, because some immigrants do not come under the quota, like spouses of citizens.

Like one year Korean immigrants were over 30,000. So, when you multiply this by four, those Chinese, Korean, Filipinos, there's the three largest groups of immigrants from Asia. That's well over a 100,000.

The number of immigrants are 100,000 to 150,000 each year. So the 20 percent is a very conservative figure, because that's undercount rate for the black, young males—well, also females, too, and the reasons for undercount are very similar for black and the Asian Americans. In addition, there are two additional handicaps with Asian Americans which result from the greater undercount; one is the language difficulty.

In a 1973 HEW study—study sponsored by HEW, Asian American, Asian Americans and Pacific Islanders, I've since tried to figure out—I've tried to read the percentage of the Asian American and Pacific Islanders with severe language difficulty. The percentages range from 12 percent to 50 percent of the heads of the families in 1973. And that's one.

Also, the crowded housing conditions is one of the common features for all Asian Americans and Pacific Islanders; there's more than one family per household, and they do not know each other too well, so it's because of the crowded housing condition and the language difficulty and also the pattern of babysitting so the children are not counted because children are with the babysitters.

So, the three reasons make the undercount rate much higher for Asian Americans and Pacific Islanders than blacks.

COMMISSIONER SALTZMAN. Thank you, one final question, I guess from Dr. Horn?

VICE CHAIRMAN HORN. Ms. McKenney, I'm wondering to what degree has the Bureau of the Census found it feasible to use some sort of computer plan to try to identify Asian American, Pacific Islanders names in Social Security records in order to get some notification through them to their families of an impending census count?

I realize there are a lot of problems anytime one tries to identify names because people marry, take other names, etc., but if we're talking about community outreach and how do you reach people, I wonder what your thoughts are?

MS. MCKENNEY. We are not using the Social Security names as a source for identifying Asian Americans. We do rely upon local people to give us a view of where the expansion in the Asian and Pacific Islander community has occurred since 1970 and to give us a listing of the leaders in the community. And we consider that the local people are one of our most valuable resources. When the community services specialists go into a community, they have a guide which indicates the organizations—church and civic, ethnic groups, block groups, and school groups, etc.—to contact. With each contact community services specialists ask for names of additional leaders, people that we should contact, and also information about different organizations and their missions are gathered. So that we can determine which ones can be of most benefit in the census.

VICE CHAIRMAN HORN. Okay, on that point, Mr. Kim, when you mentioned that methodology has to be different in these various cities, did you mean anything more than what Ms. McKenney has just said as to the variety of community groups, ethnic newspapers, etc., that census enumerators should use to reach out or do you mean something statistically?

MR. KIM. Well, I don't question what is being said, I question the implementation, and not you personally, obviously, but I question the implementation.

I personally have dealt with several census issues; every person who's ever come through where we've done free census surveys for we always ask them to contact the supervisor, to contact us so we can develop a linkage with the local census.

Out of six surveys each time we did it free, and said just ask, we didn't supervise the contactors, it never happened.

It went to the meeting that was supposed to be the so-called outreach meeting. I was told three times in that meeting that because they couldn't answer my question; call Washington, D.C. I'm here. So the point is I still haven't got the answer, other than we're going to do all these things, yet we have not seen it happen. Plus one other thing, you have not provided the bilingual backup with the community specialist in terms of materials and the cross section and the—just the availability, they don't have it.

So I mean all these fine words are fine, only if they're implemented.

VICE CHAIRMAN HORN. Thank you.

COMMISSIONER SALTZMAN. I'd like to thank all the panelists for this very fascinating, deep, insightful presentation on the census issues. Thank you so much for your papers.

[Applause.]

Census Methodology and the Development of Social Indicators for Asian and Pacific Americans

by Fortunata M. Azores*

The United States decennial census, which is a total count of the population of the country, was mandated by the Constitution for the purpose of reapportioning seats in the House of Representatives. It is also used for delineating congressional district boundaries and apportioning seats in the State legislatures. Important as the decennial census is for purposes of redistricting, much of the current interest in it derives from its many other uses. It serves as a basis for the allocation of government funds. It functions as a control factor in various intercensal estimates, including the current population survey. It is used to derive social indicators to detect changes in social aspects of life (e.g., employment, education, housing) and to monitor progress towards societal goals.[1] Most important, perhaps, for the Asian and Pacific American populations is this use of census data as social indicators to measure the quality of life of the American people.

Whether the measures obtained from the census adequately reflect what they are presumed to reflect is sometimes questionable. The fact remains, however, that census data are used as social indicators serving as tools for policymakers. Public decisionmaking has relied heavily on social statistics for the direction that it takes. It is, therefore, extremely important that these statistics reflect the social conditions of the Asian and Pacific American populations as well as that of the larger population groups in the country.

From published census data, it is difficult to find adequate measures that will provide meaningful social—quality of life—indicators for Asian and Pacific Americans. The ability to derive meaningful indicators for a particular population is directly related to the adequacy of the descriptors for that population. Current census data does not provide adequate descriptors for the Asian and Pacific American populations. This is due, in part, to the Census Bureau's past methods in data collection, aggregation/disaggregation of data, and reporting of data.

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[1] Ralph M. Brooks, et al., "Toward the Measurement of Social Indicators: Conceptual and Methodological Implications," Journal Paper No. J-7-37 of the Iowa Agriculture and Home Economics Experiment Station (Ames, Iowa). Project no. 1837.

As an example, the 1970 census form had five Asian and Pacific American categories in the race question: Japanese, Chinese, Filipino, Korean, and Hawaiian. While no total count of Asian and Pacific Americans was ever made from the 1970 census, the Census Bureau did release estimates of the Asian American population. But they included only the three largest Asian population subgroups.

In *We, the Asian Americans* a 1973 census publication prepared "as an aid to education," the inside front cover indicated approximately 1.4 million Asian Americans in the country. This number included only Japanese Americans, Chinese Americans, and Filipino Americans. In smaller print on page three, the report acknowledged that 70,000 Koreans, 9,000 Pakistanis and 76,000 Indians were also counted. Why were they not included in the total count of Asian Americans? Asian Americans are not as many as some other minority groups but accounts of their numbers have been made even smaller by the failure of the Census Bureau to properly identify them and to adequately report those that they are able to identify.

Numbers are very important in the society we live in. Because of the relatively small number of reported Asian and Pacific Americans, many government agencies have ignored their presence by failing to include them in their outreach programs and by failing to make a sincere effort to study their problems and seek solutions for them. The Asian and Pacific American Advisory Committee to the Census Bureau therefore worked for the expansion of the "race and national origin" categories in the 1980 census questionnaire. As a result, "Asian Indian," "Vietnamese," "Samoan," and "Guamanian" will be added to the original five Asian and Pacific American categories. In addition, the advisory committee recommended a category called "Other Asian."

The panel on decennial census plans of the Committee on National Statistics of the National Research Council supported this recommendation in its report released in November 1978.[2] The Census Bureau's response to the advisory committee's recommendation made in February 1978 was that the "Other Asian" category "could be made available from computer tape files if it is not included in sample data publications."[3]

Such a response is meaningless. If the category is made, it must be included in the publications. Many data users, and the majority of

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[2] National Research Council, *Counting the People in 1980: An Appraisal of Census Plans.* A report of the Panel on Decennial Census Plans, Committee on National Statistics (1978), p. 68.

[3] U.S., Bureau of the Census, Minutes of the Meeting of the Census Advisory Committee on the Asian and Pacific Americans Population for the 1980 Census, Feb. 24, 1978, p. 43.

Asian and Pacific American users, have no access to computers or no budget for computer time. Asian and Pacific American data that are not in published form is, for practical purposes, nonexistent.

Obtaining a complete count of Asian and Pacific Americans involves more than getting proper identification categories for the relevant population groups. It involves an effective community outreach program, the hiring of bilingual enumerators from the respective Asian and Pacific American communities, and adopting proper editing procedures—among other things. A great deal might be said about the methodology in each of these activities. However, this paper wil focus on the Census Bureau's methods of reporting. Assuming that data collection procedures are perfect and that there is no undercount, the real test is in how the data are finally tabulated and displayed in the published reports. For no matter how the Census Bureau may try to be objective, the way it presents the data can create a bias in the interpretation of that data—a bias that can work to the detriment of Asian and Pacific American populations.

A few examples will illustrate how this occurs. Take the matter of educational achievement. Asian Americans are known to have high educational attainment. Census data supports this fact and the statistics have gained wide circulation. The percentage of Asian Americans with little or no education is also very high—higher in fact than that of some other population groups. Statistics to prove this are also found in census tabulations but the information has not received any public attention. What remains in the public's mind and that of the policymakers is the fact that Asian Americans have a high median of school years completed, that more of them have finished college than of any other group, and that they, therefore, must be getting equal opportunity in education and have no need for affirmative action.

It would be interesting to know how many, or what proportion, of the highly educated Asian Americans received their training in this country. In 1970, 12 percent of the foreign-born Asian Americans (both males and females) in the 15–17 year old bracket were not enrolled in school. In contrast, among the foreign-born Asian Americans 18–24 years old, 44 percent of the males and 68 percent of the females were not enrolled in school.[4]

In the Filipino population, in particular, the nonschool enrollment of both native- and foreign-born persons 18–24 years old was 72.5 percent for the males and 76.8 percent for the females.[5] All this indicates a very

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[4] U.S., Bureau of the Census, *1970 Census of Population, Subject Report: School Enrollment,* PC(2)–5A.

[5] U.S., Bureau of the Census, *1970 Census of Population, Subject Report: Japanese, Chinese, and Filipinos in the United States,* PC(2)–1G.

TABLE 1

Educational Attainment of Persons 25 Years Old and Over by Selected Racial/Ethnic Characteristics, 1970.

Years of school completed	Total	White	Black	Japanese	Chinese	Filipino
No school	1.6%	0.9%	3.3%	1.8%	11.1%	5.6%
Elementary						
1–4 years	3.9	2.7	11.5	2.3	5.1	9.5
5–7 years	10.0	8.2	18.8	6.3	10.7	11.7
8 years	12.7	11.8	10.5	8.5	5.6	5.1
High school						
1–3 years	19.3	19.3	25.0	12.2	9.7	13.4
4 years	31.1	33.5	21.0	39.3	21.2	19.9
College						
4 years or more	10.6	11.8	4.2	15.9	25.6	22.5
Median school years completed	12.1	12.2	9.7	12.5	12.4	12.2
% H.S. graduates	52.4	57.1	31.0	68.8	57.8	54.7

Sources: U.S., Bureau of the Census, *1970 Census of Population, Subject Report: Educational Attainment*, PC(2)–5B, and *Subject Report: Japanese, Chinese and Filipinos in the United States*, PC(2)–1G.

high dropout rate for Asian Americans after high school and points to the need to further investigate if, indeed, there is equal opportunity for Asian Americans to go to college, as has been suggested by the Department of Justice in the case of *Bakke v. The Regents of the University of California.*

The false impression of the educational situation of Asian Americans is due, in part, to the way that education data have been presented in the subject report of Japanese, Chinese, and Filipinos in the United States, perhaps the most used census publication and possibly the only one that many government agencies consult for information regarding Asian Americans. This book, however, makes no distinction between native- and foreign-born Asian Americans and therefore hides the fact of the true conditions of those who have spent most of their lives in this country.

Another issue for Asian Americans, which needs but does not get supporting data from census publications, is the language problem. With the liberalization of the immigration law in 1965, large numbers of Asians have come, and are still continuing to come, to the United States to make it their home. Because of the nature of the preference categories provided in the law, many of the Asian immigrants are college or university graduates. Still, coming from non-English speaking countries, the majority of the immigrant families have limited command of the English language. The census questionnaire has an item on language, the purpose of which is to get a measure of the number of persons with limited English-speaking ability. The measure is needed for the implementation of the Bilingual Education Act and of the Voting Rights Act, as amended in 1975. Presumably, the theory is that language ability is related to well-being, that a person in this country with limited English-speaking ability does not have equal opportunity to progress effectively in school or to exercise the right to vote. But census publications do not show the proportion of Asian Americans who have limited English-speaking ability.

A survey of languages was conducted by the Census Bureau in July 1975 in conjunction with the current population survey. An advance report on this study was issued in July 1976.[6] The tables in that publication generally reported the languages according to the number of speakers. Asian Americans languages were low on the list. The two-page narrative made no mention of any Asian language. The only non-English languages mentioned in the narrative were Spanish and Italian.

An analysis of the same language survey was done by the National Center for Education Statistics (NCES)[7], and it was more clear on the language situation of Asian Americans. The study showed that within the Asian language groups, a large proportion of the population claimed a non-English mother tongue and that this was their usual language. Further, it demonstrated that "in no case is ethnicity a reliable predictor of current language usage or even of mother tongue for various ethnic groups," citing the example of German and Korean.[8] While German represented one of the largest ethnic heritage groups in the study, only 21 percent of them had German as a mother tongue and only 1 percent spoke it as their usual language. In contrast, 95 percent of the Koreans had Korean as their mother tongue and 47 percent of them spoke it as their usual language (table 2). The tabulation and reporting of results in the NCES study is not only a more accurate description of the language situation in the United States, it is also more useful in making policy decisions in the enactment or implementation of relevant legislations.

The Census Bureau has published a subject report called *National Origin and Language.* [9] It has only one table (table 19) listing a number of Asian and Pacific American languages and it makes no reference to English language difficulty, only to the number of people claiming the

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[6] U.S., Bureau of the Census, "Language Usage in the United States" (Advance Report), Current Population Report, Special Studies, Series P-23, No. 60 (July 1975).

[7] Dorothy Waggoner, "Language and Demographic Characteristics of the United States Population with Potential Need for Bilingual Education and other Special Programs" (July 1975) National Center for Education Statistics, Washington, D.C., p. 6.

[8] Ibid., p. 5.

[9] U.S., Bureau of the Census, *1970 Census of Population, Subject Report: National Origin and Language*, PC(2)-1A.

TABLE 2

Ethnic Heritage Groups by the Proportion of the Group Claiming Group Mother Tongue and Speaking the Group Language as the Usual Language

Ethnic heritage group (EHG)	Proportion of EHG claiming group mother tongue	Proportion of EHG speaking group language as usual language
Korean	95%	47%
Chinese	84	44
Filipino	82	30
Spanish	81	44
Greek	79	24
Japanese	71	17
Portugese	67	18
Italian	57	7
French	47	7
German	21	1

Source: Dorothy Waggoner, "Language and Demographic Characteristics of the US Population with Potential Need for Bilingual Education and Other Special Programs," July 1975, National Center for Educational Statistics, U.S. Department of Health, Education, and Welfare.

language as their mother tongue. However, there is something special about this volume. In several of its tables, the socioeconomic characteristics of the population are given by nativity, parentage, and country of origin. Only China and Japan are included in the countries of origin. But the manner of displaying the characteristics is very revealing and has great implications for Asian Americans in general. For example, table 14 on income and class of worker indicates the median family income in 1969 for Japanese persons 16-years old and over to be $13,775 for the native born and $8,374 for the foreign born. Table 13 on unemployment status and occupation shows that among native-born Chinese males who are 16 years old and over, 28 percent are professional or technical workers and 13 percent are service workers. In contrast, while 31 percent of the foreign-born Chinese males 16 years-old and over are in the professions, 30 percent of them are employed as service workers (table 3).

If significant differences like these exist in the socioeconomic characteristics of native- and foreign-born Asian Americans, they should be made explicit in other publications as, for example, the subject report on Japanese, Chinese, and Filipinos in the United States—the single most comprehensive compilation of population characteristics of Asian Americans. The model for the publication of data on Asian Americans should be one that conceptualizes the Asian

TABLE 3

Percent Occupational Distribution of Chinese Males, 16 Years Old and Over by Nativity, 1970

	Total U.S.[1]	Native born[2]	Foreign born[2]
Professional, technical, & kindred workers	28.9	27.7	30.6
Managers & administrators, except farm	11.4	14.0	11.4
Sales, clerical, & kindred workers	13.8	20.2	10.5
Craftsmen, foremen, operatives, & laborers, except farm	21.1	23.9	16.5
Farmers & farm managers, farm laborers & foremen	0.7	1.1	0.4
Service workers, except private household	23.6	12.9	29.7
Private household workers	0.4	0.9	0.6
N =	114,433	33,606	62,501

Sources: 1. U.S., Bureau of the Census, *1970 Census of Population, Subject Report: Japanese, Chinese and Filipinos in the United States, PC(2)–1G* (data based on 20% sample).
2. U.S., Bureau of the Census *1970 Census of Population, Subject Report: National Origin and Language*, PC(2)–1A (data based on 15% sample).

American population not simply as Asian Americans but as native- or foreign-born Asian Americans. To treat them as if they were a homogeneous group is a gross distortion of reality.

There is yet another subject report that bears mentioning, the one on school enrollment.[10] Table 1 of that book relates to enrollment by ethnic characteristics, including Chinese and Japanese ethnic groups. Table 2 of the same book is devoted to the enrollment status and year of immigration, but only of European-born persons, 3–49 years old. The table includes data for 21 European countries of origin. With the changing pattern of immigration to this country, Asian origin peoples comprise no less than one-third of the total immigrants; it would be hard to accept a continued emphasis on European immigrants in the publication and reporting of 1980 census data. Just as the Bureau's abandonment of the concept of "head of household" is a reflection of its recognition of a changing or emerging lifestyle in America, so must the Bureau rethink its policy in other areas to reflect a changing composition in the American population.

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[10] U.S., Bureau of the Census, *1970 Census of Population, Subject Report: School Enrollment*, PC(2)-5A.

In December 1977, the Census Bureau published a book called, *Social Indicators 1976.* [11] It is a comprehensive volume with chapters on population, family, housing, social security and welfare, health and nutrition, education and training, work, income, public safety, wealth and expenditures, social mobility and participation, and culture, leisure, and use of time. The book is over 600 pages long and contains around 280 tables with just as many charts. Its introduction has a section on ethnic diversity of the population and contains 1 table (table A) showing the Philippines as a major source of immigrants since 1971. Another table (table E) includes Japanese, Chinese, and Filipinos in the racial breakout for certain socioeconomic characteristics. There are altogether three tables on socioeconomic characteristics by race or ethnic origin. However, each table has a different grouping of race/ethnicity and a different set of characteristics measured. Therefore, there is no way of looking at the same characteristics across all groups.

The extent of Asian American coverage in this important document is in the two tables in the introduction. In the 11 main chapters of the book, there is no mention of Asian Americans. Out of some 50 tables with racial breakouts, not one included an Asian American category. A book which is supposed to "describe the current social conditions and trends in the United States" once again ignores the existence of the smaller population groups for whom the identification of social conditions and trends is most essential.

There are numerous other census publications which have little or no information on Asian Americans. The more important ones for the Asian American populations will be mentioned here. These are the special studies on the characteristics of American youth and the subject reports on education, employment, occupation and industry, income, and low income. While these topics may be contained in the subject report on Japanese, Chinese, and Filipinos in the United States, the items and tables are often not comparable. This lack of comparability creates difficulty in the development of a standard measure against which to judge the relative well-being of the Asian American populations.

The socioeconomic characteristics desired by Asian Americans, and by the Pacific American populations as well, are obtained from sample data. However, there is a problem with the statistical reliability of sample data on the Asian and Pacific American populations, particularly those obtained from the current population survey. According to the Census Bureau, even oversampling at the rate of four to one in areas with large concentrations of Asian and Pacific Americans will still yield high coefficients of variation. But even assuming that the coefficient variations (CVs) cannot be brought down to the preferred level, might not a relatively higher standard of error perhaps be tolerated in the absence of other data for social planning purposes? For the Asian and Pacific Americans populations, for which no intercensal figures have been available, perhaps a measure with a high coefficient of variation is better than no measure at all. But there are plans to redesign the sample for the current population survey after 1980. It is hoped that whatever plan is adopted will provide a data base sufficient in size to derive statistically reliable measures for the Asian and Pacific American populations.

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[11] U.S., Bureau of the Census and Office of Federal Statistical Policy and Standards, *Social Indicators 1976,* (1977).

To obtain relevant quality of life indicators for Asian and Pacific Americans, the U.S. Census Bureau should adopt the following procedures for 1980:

1. Publish a total count of Asian and Pacific Americans with breakouts available not only for the major subgroups but also for the category, "Other Asian."
2. Develop adequate descriptors for the Asian Americans, including breaking out the populations not just by subgroups but by place of birth, where such further differentiation is most appropriate.
3. Explore alternative sampling strategies in order to obtain statistically reliable data on the Asian and Pacific American populations. Activities in this area should be reported to the Asian and Pacific American Census Advisory Committee.
4. Publish adequate measures that will allow the formulation of meaningful social indicators for the Asian and Pacific American populations.
5. Publish a subject report on Asian and Pacific Americans with tables of socioeconomic characteristics that will allow comparison with similar characteristics of other population groups.

Adoption of a new sampling strategy and refinement of the Asian and Pacific American categories will entail additional expenses for the Census Bureau. But the changes are necessary if the data on Asian and Pacific Americans are to be useful in public decisions. Asian and Pacific Americans are not asking for special treatment. They are asking that statistics produced by the Census Bureau be as relevant for them as they are for larger population groups. Without those kinds of numbers there can be no social indicators or measures of their quality of life. Without those measures policy and program planners, as well as administrators of various public and private agencies, will continue to ignore the needs of Asian and Pacific Americans. Asian and Pacific Americans will be deprived of equal opportunity to participate in affirmative action programs and to receive funds or services for which they may be eligible. This denial of equal opportunity is a violation of their right under the law and must not be allowed to continue. A rethinking of census policy and certain adjustments in reporting methodology will be a first step towards equalizing the opportunity for the Asian and Pacific American populations of this country.

Problems of Undercount of Asian Americans and Pacific Islanders

by Keewhan Choi, Ph.D.*

This paper deals with the problem of the undercount for Asian Americans and Pacific Islanders. Even though there are 3 to 4 million Asian Americans and Pacific Islanders in the U.S. today, we have neither an accurate population count nor adequate information on their socioeconomic characteristics.

The 1980 census could provide us with valuable information on Asian Americans and Pacific Islanders. However, there are several problems in connection with the 1980 census. The most critical problem for Asian Americans and Pacific Islanders is that of the undercount.

An undercount of Asian Americans and Pacific Islanders in the 1980 census and the population estimates, which will be made by the Census Bureau between the censuses, will have serious consequences, namely political underrepresentation and unfair distribution of Federal and State funds for social service programs. Accurate census data are needed for recognition of the political influence, the setting of goals in affirmative action programs, and support of bilingual and bicultural education of Asian Americans and Pacific Islanders. Also, an adequate data base is essential to measuring our progress under various social programs and to measure the effects of policies and programs to remedy past discrimination.

Main reasons for the undercount include language difficulty and non-Western cultural backgrounds of ever-increasing numbers of new immigrants, and crowded housing conditions.

Five recommendations to remedy the undercount problems are: (1) a precensus information campaign through community organizations and ethnic newspapers; (2) census questionnaires and the instructions translated into each of the major Asian languages and bilingual-bicultural census enumerators—particularly in cities with large concentrations of Asian Americans and Pacific Islanders, (3) a special postenumeration survey modeled after the Census Bureau's monthly current population survey (which should cover approximately 5 percent of the Asian American and Pacific Islanders), (4) a link of immigration records and vital statistics records of Asian Americans and Pacific Islanders with their census records, and (5) an upward adjustment of the population count of Asian Americans and Pacific Islanders in the 1980 census to account for the undercount.

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Undercount

It is not possible to count every person in the United States at any cost. Even in small countries such as Sweden and Norway, undercount of the population occurs. The U.S. Bureau of the Census has conducted extensive evaluation of the censuses of 1950, 1960, and 1970. A common finding of these evaluation studies is that the undercount is a major problem, particularly for minorities.

Incomplete coverage of the total population in 1970 and net census errors have been estimated at the U.S. Bureau of the Census by Jacob S. Siegel, using analytical techniques similar to those used by Ansely Coole, Melvin Zelnik, and N.W. Rives, Jr.[1] The general method is to develop an estimate of the population independent of the census, using birth and death certificates for previous years, immigration and emigration data, medicare data, and previous censuses. The accuracy of the estimate depends on the consistency of the statistics used.

Even though the estimates are the best that can be made, the data have several serious deficiencies for Asian Americans and Pacific Islanders. The data and technique of estimation do not provide us with coverage estimates for Asian Americans and Pacific Islanders. First, only two races were identified and used in the Siegel method, white and "Negro and other races,' and the undercount estimates for "Negros and other races" were, in several instances, based on the data for native blacks. Second, the immigration data for Asian Americans and Pacific Islanders were not used in the undercount estimates. Third, Asian Americans, who are recent immigrants in particular, have additional causes for undercount than blacks. Asian Americans and Pacific Islanders were undercounted in 1970 census because of the relatively large number who had immigrated shortly before 1970 from non-English-speaking backgrounds and non-Western cultures.

There have been high rates of immigration of Koreans and Filipinos after repeal of the immigration by quota system based on national origin in 1965. There has also been a great influx of Indochinese refugees since 1975 (U.S. Congress, 1977)[2] A maximum of 150,000 refugees are allowed to immigrate annually.

Fourth, neither the birth and death certificates of Asian Americans and Pacific Islanders nor their medicare data have been compiled for an estimate of the Asian American and Pacific Islanders independent of the previous (1970) census.

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[1] U.S., Bureau of the Census, *Estimates of Coverage of Population by Sex, Race, and Age: Demographic Analysis* (1974b). 1970 Census of Population and Housing, Evaluation and Research Program, PHC(E)-4.

[2] U.S., Congress, House (1977c). *Pretest Census in Oakland, California and Camden, New Jersey, Hearings before the Subcommittee on Census and Population of the Committee on Post Office and Civil Service.* 95th Congress, 1st sess. Serial No. 95-42, Mar. 25 and May 16, 1977.

Even though no solidly based estimates of the Pacific Islanders in the 1970 census can be made for Asian Americans for the four reasons discussed above, the undercount rate is expected to be larger for Asian Americans and Pacific Islanders than for blacks. The undercount rate for blacks was estimated to be 7.7 percent while the rate for whites was 1.9 percent in the 1970 census. However, the undercount rate varied widely by age group. The undercount rate for black men in the 25–44 age group was estimated to be 18 percent (U.S. Census Bureau, 1974)[3]

Reasons for the Undercount

Main reasons for the undercount of Asian American and Pacific Islanders were: (1) language difficulty, (2) non-Western cultural backgrounds of the ever-increasing numbers of new immigrants, and (3) crowded housing conditions.

It has been found in previous studies (see, for example, Asian American Field Study, 1977)[4] that a large proportion of Asian Americans and Pacific Islanders have language problems, including many who have lived in the United States for a long time. The problem of language is much more acute among the recent immigrants. Those Asian Americans and Pacific Islanders with a language problem do not understand census forms and procedures. Asian Americans, particularly recent immigrants from non-Western cultures with their life-long habits of avoiding official dealings with their sometimes repressive governments, might cause the undercount by not participating in the census.

Many Asian Americans and Pacific Islanders live in dwelling units which may be difficult to find for enumeration, particularly in urban areas where they are concentrated. Such hard to find dwelling units include those in alleys, basement apartments, or rooms in apparently single-family dwellings. Also, many Asian Americans and Pacific Islanders live with boarders or distant relatives (Asian American Field Study, 1977). Those boarders and distant relatives tend to be omitted inadvertently from the listing of persons living at the address.

Implications of the Undercount

Undercount of Asian Americans and Pacific Islanders may influence the apportionment of representatives to the U.S. House of Representatives. Under the equal proportions method, a small shift in a State's population—even a shift of one—could theoretically result in a change in the State's representation. Within a State, undercount may affect boundaries of congressional districts, State legislative districts, or city council districts.

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[3] U.S., Bureau of the Census, *Estimates of Coverage of Population by Sex, Race, and Age: Demographic Analysis* (1974). 1970 Census of Population and Housing, Evaluation, and Research Program, PHC(E)-4, table 6.

[4] U.S., Department of Health, Education, and Welfare *Asian American Field Study* (1977) GPO Stock No. 017-000-00195-7.

Siegel (Census, 1975)[6] speculates that the attention elected officials pay to various groups of voters tends to be related to their perceived size. The undercount of Asian Americans and Pacific Islanders may result in lack of political influence with their elected officials.

Because general revenue sharing programs administered by the Department of the Treasury, and most grant money of the Department of Health, Education, and Welfare are based on the population count, the undercount of Asian Americans and Pacific Islanders in those cities with large concentrations results in underallocation of funds to those cities.

The population count is also crucial in formulas to allocate funds for health, education, and social service programs, in which the absolute number and proportion of target populations are related to funding. The Comprehensive Employment and Training Act is an example of such a funding program.

Recommendations

The following five recommendations are made to overcome the undercount problem:

1. The Census Bureau should conduct an extensive precensus information campaign through community organizations and ethnic newspapers. Also, the Census Bureau should seek the cooperation of community organizations in hiring enumerators.
2. Census questionnaires and instructions should be translated into each of the major Asian languages, and the census enumerators, particularly in cities with large concentrations of Asian Americans and Pacific Islanders, should be bilingual-bicultural.
3. A special postenumeration survey modeled after the Census Bureau's monthly current population survey should be conducted. Such a survey should cover approximately 5 percent of Asian Americans and Pacific Islanders.
4. Immigration records and vital statistics records of Asian Americans and Pacific Islanders should be linked with their census records.
5. The population count of Asian American and Pacific Islanders in the 1980 census should be adjusted upward to account for the undercount.

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[6] U.S., Bureau of the Census, *Coverage of Population in the 1970 Census and Some Implications for Public Programs* (1975). Current Population Reports, Special Studies, Series P-23, No. 56.

Impact Of Census Issues on Asian/Pacific Americans

by Dr. Roberto S. Mariano*

There is an information gap regarding Asian/Pacific Americans. Their socioeconomic conditions and needs remain undocumented on a *national* and *regular* and *reliable* manner. Such paucity of comprehensive data and the consequent lack of public awareness and appreciation of the problems faced by Asian Americans may have led to not too uncommon remarks like: "Why worry about the Asian Americans—they are not a disadvantaged group; they are doing well—they can take care of themselves." "How many are they anyway? Their undercount in the 1970 census could not have been any worse than for whites since they are such an educated group."

Such remarks may also have come out of myopic impressions drawn from aggregate information from the 1970 census. At first glance, such data may indeed indicate that Asian Americans are well off in terms of income, employment, education, and returns to schooling. However, appropriate adjustments should be introduced because of the reality that there are multiple workers in Asian American families and that most Asian/Pacific Americans reside in high-cost areas in the U.S. Also, a more relevant comparison is with non-Hispanic whites than with the overall nationwide averages since "disadvantaged groups in the overall population will tend to lower national averages and thereby artificially inflate the status of Asians."

When such appropriate adjustments and comparisons are made, then a different and rather disturbing picture emerges, showing, indeed, a clearly disadvantaged group. For example, Filipino and Chinese men are no better off than black men with regard to median incomes in standard metropolitan statistical areas (SMSAs) such as Los Angeles, San Francisco, New York, Chicago, and Honolulu where there is a high concentration of Asian Americans. With regard to employment and occupational status, the Asian unemployment rate is low but this is because many Asians are willing to work in low-status, low-income occupations for which they are overqualified. There is considerable evidence of underemployment, and in SMSAs with large Asian populations, there are economic substructures, such as Asian-owned or Asian-family businesses which provide increased employment but at the price of depressed wages. With regard to earnings relative to education, returns to schooling for Asians are generally substantially below those for non-Hispanic whites. Returns for Filipinos are practically nil!!! As a group, "Asians do gain by increased education but not as much as whites. Most emphatically, they do not catch up; in most cases they fall behind." [For more details, see Moulton (1978).]

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It is sad to say that, to this date, for a profile of Asian/Pacific Americans on a national level, we still have to fall back on 8-year-old data coming from the 1970 census. Thus, we look forward to the 1980 census for a more recent picture of the Asian/Pacific American scene. But beyond that, the coming census will hopefully create an impetus towards the development of a mechanism for generating reliable comprehensive data on a regular basis for Asian/Pacific Americans. The conduct of this census will have far reaching effects towards the documentation of the conditions and needs of Asian/Pacific Americans and the consequent clarification of public and government perceptions of these needs at the Federal, State, and city levels.

Basic census information, such as sheer count of a minority subpopulation and its regional distribution, provides the essential framework for legislative approval of government projects and allocation of funds. Furthermore, because of the timing of this census and recommendations made by various commissions such as the National Commission for Manpower Policy and the National Commission for Employment and Unemployment Statistics (NCEUS), results of this coming census will also directly impact on the possible redesign of the current population survey (CPS) towards the development of more reliable data for minority groups. This interphase between the census and the redesign of the CPS makes this coming census even more important to Asian/Pacific Americans. For, as I will argue later in this paper, I feel that the CPS has the best potential for providing a comprehensive, reliable, and regular data base for the socioeconomic demographic profile of Asian/Pacific Americans. The importance of such a data base (with equal emphasis on coverage, quality, and timeliness) can hardly be stressed often enough. In the area of equal employment opportunity, "policy actions have focused on promoting equality in labor market opportunities for all racial and ethnic groups. Data systems consequently should reflect these policy goals to enable the policymaker to measure the labor force status of minority groups." [Quoted from page 77 of the NCEUS preliminary draft report (1979).]

Given all these considerations, I now propose to touch further on these topics which are all related, directly or indirectly, to the 1980 census and which have immediate impact on the clarification of Asian/Pacific American conditions. These are:

(1) Census undercount of minorities, especially of the Asian/Pacific Americans;
(2) Reporting of Asian/Pacific American data;

(3) The Current Population Survey.

I will discuss the first two topics only briefly since other speakers in this conference, I believe, will talk about them in more detail. After these two short discussions, the focus shifts to the Current Population Survey *and* other sources of information concerning Asian/Pacific Americans.

Census Undercount of the Asian/Pacific Americans

This problem has been discussed extensively in the Asian/Pacific American Census Advisory Committee. According to a Census Bureau estimate, there was a 2.5 percent net national undercount rate in the 1970 census. However, there are undercount differentials by political jurisdiction, by various population entities, and by economic and social status. Rates of undercount differ geographically—with the South suffering the poorest coverage rate. Studies in the Bureau of the Census also show that the rate is worse for the poor than for the affluent, for blacks than for whites, for males than for females.

With regard to Asian/Pacific Americans, several recommendations have been made to alleviate this undercount problem. Some of them include the utilization of bilingual ethnic enumerators, translation of questionnaires and instructions, and timely precensus campaigns for community public information. The suggestion has also been made that the Census Bureau work with local community organizations to allay fear and apprehension toward census interviewers, to encourage participation, and to obtain adequate counts in areas with high housing densities such as the Chinatowns in New York and San Francisco.

For the 1980 census, it bears repeating that it is of utmost importance that this undercount be controlled at a minimum. The effects of serious undercount errors will be real and critical in terms of their impact on the allocation of government funds and also on decisions which the Census Bureau will subsequently make regarding possible modifications of the CPS towards better coverage of Asian/Pacific Americans. This impact, especially the first, becomes even more critical given that State and local estimates of unemployment are used in the allocation of Federal funds for employment and training programs and the NCEUS has analyzed in its preliminary report the possibility of basing the distribution of funds on the decennial and mid-decade censuses. The NCEUS has also suggested *expanding* the size of the CPS to obtain more reliable data for minorities, States, major SMSAs, and cities with a population of over 1 million.

Data Reporting and Data Analysis

Appropriate documentation, to my mind, means not only the collection of appropriate data but also, and perhaps even more importantly, appropriate interpretation and presentation of the informational content of the data. Because of the diverse ethnic composition within the Asian/Pacific American minority, data collected and reported should shed light on the varied heterogeneous needs of the various Asian groups. Some of these needs are quite visible to the public eye, as in the case of the refugees from Southeast Asia, but some, on the other hand, can persist and remain unnoticed and remain unaddressed unless they are brought to the attention of the public and of government agencies and government officials. Witness the abysmal ghettos of second- and third-generation Filipinos in Honolulu!

Proper attention must also be paid to the special characteristics of Asian/Pacific Americans. As we have indicated earlier, a more realistic comparison of the well-being of Asian/Pacific Americans is with the non-Hispanic whites. Furthermore, comparisons of this type should also take into consideration the facts—that there is a preponderance of Asian/Pacific American families with multiple workers and that most Asian/Pacific Americans are located in major cities in the U.S. with high costs of living.

One suggestion for the 1980 census is the preparation of comprehensive special subject reports on Asian/Pacific Americans covering all the major Asian ethnic groups and distinguishing between native born and foreign born. For States like California, Hawaii, Illinois, and New York with significant Asian/Pacific American population, there should be a breakdown of data by race to identify the Asian category and whenever possible identify ethnic origin as well.

For other data sources, additional tabulations beyond those currently published by the Bureau of Labor Statistics would help maintain the progress (or lack of it) of Asian Americans in the labor market. Some of these are: a further disaggregation by race and by sex of the current tabulation of persons by occupation by industry; a tabulation of average savings by race, sex, age, and occupation; and a tabulation of gross flow data by race, sex, and age between industries, occupations, and employment statuses. This last tabulation follows the transitions of individuals from their industry, occupation, and employment status in one month to their status in the subsequent month. This tabulation is useful in that antidiscrimination policies affect the distribution of employees by race and by occupation through the hiring and promotion process and would manifest themselves through the rate at which specific jobs are opening to minority groups.

The Current Population Survey

The current population survey (CPS) is a monthly household survey covering the civilian noninstitutionalized U.S. population, and is conducted by the Bureau of the Census to provide estimates of employment, unemployment, size of the labor force, and other basic labor force information on the population as a whole as well as various subgroups of the populations. The primary objective of the CPS is to provide monthly estimates on a sample basis with measurable reliability for labor force data. The CPS produces additionally a large amount of detail, not otherwise available on a monthly basis, on the economic status and activities of the U.S. population.

Data have been provided at the national level since the beginning of the CPS. More recently, funds have become available permitting expansion of the sample to increase the reliability of data for States and selected SMSAs. To improve the reliability of estimates tabulated at levels below the census regions or for groups with small representation in the survey (such as Americans of Spanish descent or origin), some of the monthly estimates are cumulated for publication as quarterly and annual averages. Data on Americans of Hispanic origin have been tabulated separately on a quarterly basis starting in 1978. On the other hand, Asian Americans are not identified at all but instead form part of a residual category in the question of race (white/black/other) and are lumped with blacks in the tabulation of results.

For an average month, a total of about 58,000 households are included in the national sample and 45,000 of these are eventually interviewed. (The attrition of 13,000 is due to various reasons such as nonexistence of a housing unit, unavailability, and ineligibility of households chosen.) The sampling design for the CPS is probabilistic, thus implying that relative representation of minority groups in the survey will be directly proportional to their relative size in the population. Out of the 45,000 households eventually interviewed, such a small number of them are Asian Americans (about 540 over the whole Nation) that even if identified they would not provide reliable information on Asian American population characteristics.

A similar problem actually arises in the case of blacks and Hispanics but not to such an extent as to preclude reporting or pertinent information on a monthly basis in the case of blacks and on a quarterly basis for Hispanics.

For Asian Americans, the relative reliability of estimates, if obtainable from the survey as currently designed, must be tremendously low considering that this group comprises only about 1.2 percent of the total population as compared to 5.2 percent for Hispanics and 11.2 percent for blacks (based on 1976 figures).

What can be done for the Asian/Pacific Americans? One possibility is for the Census Bureau to oversample from this subpopulation via appropriate stratification of the population to ensure appropriate reliability of estimates. The Census Bureau has already done some preliminary studies along these lines. These were reported in the Workshop on the Employment Status of the Asian/Pacific Americans held in Stanford, California, last August 20–25, 1978. Calculations from these studies indicate that annual average estimates of Asian/Pacific American total population, civil labor force, employment and labor force participation rate would have fairly reasonable coefficients of variation ranging between 1.2 percent and 3.3 percent. On the other hand, despite aggregation over the whole year, the unemployment rate will still have a relatively higher 10.0 percent coefficient of variation. Furthermore, Census Bureau representatives also indicated in the Stanford conference that costs involved in, say, doubling the Asian/Pacific American sample in the CPS are well within reasonable limits. I pose the following question now to the Bureau of Census: Would it not be possible to attain reliability at reasonable costs by doubling or even trebling the Asian sample and aggregating over a period of 1 year?

Granted that the National Commission of Employment and Unemployment Statistics recommends "biennial publication of aggregated CPS estimates of labor force characteristics for small minorities" such as the Asian/Pacific Americans and Native Americans. However, if such population indicators are to guide and support policies, a gap of 2 years is, to my mind, too long, especially if the current trend of high immigration rates from Asia continues.

I gather that the Census Bureau plans to identify Asian and Pacific Americans as a separate group in the CPS sometime in 1979. Beyond this, Asian ethnicities should also be identified. The NCEUS notes that the ethnic categories listed currently by the CPS "are almost entirely white ethnic categories. . . ." Since ethnic differences are as substantial among blacks and Asians as among whites, the commission suggests that the CPS expand its ethnic listings to include ethnicity of races other than whites.

I have argued in this paper that the needs of many Asian/Pacific Americans are real. This gathering of professional Asians is indeed impressive but must be tempered by awareness that there are pressing problems and that many second- and third-generation Asian/Pacific Americans are suffering as members of an invisible minority.

The existence of Asian/Pacific American Heritage week is an important step. The deliberations in this gathering should be an eye-opening and even painful experience both for Asian/Pacific Americans and the government. There is a false sense of well-being—a misconception nurtured in the mind of not only the general public but also many Asians themselves.

The 1980 census, properly implemented and analyzed, will provide the appropriate documentation we need to see how the Asian/Pacific Americans, indeed a disadvantaged group as shown by microdata from the 1970 census, have fared over the last 9 or 10 years. After 1980, we argue that the current population survey will be the best vehicle for timely, comprehensive, and reliable information on the socioeconomic profile of Asian/Pacific Americans. The redesign of the CPS is not an unrealistic request. It can be done at reasonable cost. It certainly would be a significant step forward.

There are indeed problems. We cannot expect an overnight change, an overnight solution. But the problems are there and many of them have persisted over the years. Beyond the census and CPS data, there are other data and information sources, which, in some cases, document these problems in an even more glaring and conclusive fashion. State data will be of particular use. Within the U.S. Commission on Civil Rights itself, I gather that in the past few years there has been an ongoing national project on Asian and Pacific Island Americans. A study of this magnitude will certainly be of great help in providing some answers to the questions and problems I have posed in this paper. Hopefully, it will be possible for the Commission to share with us during this conference the important highlights of this study.

Asian/Pacific Americans problems exist. Many of them are pressing. There is no better time to act than now!!

Political Implications of the 1980 Census for Asian Americans

by Nack Young An*

Never in the history of this Republic has the constitutional requirement of a decennial census assumed as much significance for Asian Americans as the forthcoming 1980 census. Historically a tiny minority in a Nation settled primarily by people from Europe, Asian Americans accounted for only 1 percent of the total population as of the 1970 census (1,369,412). With the exception of those areas on the west coast and Hawaii with a sizeable Asian American population, in the rest of the country Asian Americans have not been considered politically significant enough to consider their support critical. Consequently, Asian Americans, while considered a model minority socially, have been subjected to a benign neglect in the political realm.

The picture, however, has begun to change rapidly during the past decade, with the influx of Asian immigrants in large numbers following the drastic changes in American immigration policies since 1966, underscored by the abolition of the national origin quota system, the bedrock of racist immigration policies. In addition to the large numbers of Asian immigrants under the new nondiscriminatory laws, nearly 200,000 Indochinese refugees since the Vietnam debacle helped elevate Asian Americans as a visible minority with human and social needs, so much so that Asian Americans are clearly recognized today as a significant group in American society.

Various government programs recognized the needs of Asian Americans as a distinct minority group, along with blacks, Hispanics, Native Americans, and Chicanos. The National Institute of Mental Health, for example, through its minority projects division, funded several projects that benefited Asian Americans along with other minorities. It is expected that this trend will persist in the years ahead, as Asian Americans, settled in large metropolitan areas of the Nation, are recognized in the political processes as a potent political force to contend with. With an accurate count in the 1980 census, this group will be able to take a fair share of the benefits the society has to dispense. But many obstacles stand in the way of a complete count.

The Census Bureau has acknowledged an undercount in minority populations enumerated during the 1970 census. The undercount in the 1970 census was estimated as 2.3 percent of the total population and 6.3 percent of the black population. The undercount is most prevalent in the South and the Northeast where there are large concentrations of poor and minorities. The report estimated that in the South, 3.1 percent of the population was missed while 6.7 percent of the black population was not counted. In the Northwest, 2.6 percent of the population was missed, and 7.5 percent of the black population was not included in the count. While there are no similar figures for Asian Americans, the undercount among this group is estimated at around 15 percent, and the figures are expected to exceed 20 percent for the forthcoming census in the absence of concerted efforts to reduce the instances of undercount in the 1980 census.

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There are many encouraging signs at the various levels of government. The United States Census Bureau has allocated a considerable amount of resources to disseminate information and to promote a complete count. Minorities sections have been created in each regional office to reach racial and linguistic minorities. State and local governments, especially municipal governments, are also making all-out efforts to have every one of their citizens counted in this year's census. Many municipal governments have appointed "complete count committees" composed of citizen volunteers to aid their respective municipal governments in their efforts to reach everyone within their jurisdiction.

Atlanta, Georgia, is such a municipality. Its mayor, Maynard Jackson, assigned a very high value to a complete count as more important than anything else the government does this year. Various subcommittees are to work in close contact with diverse groups and the news media as a part of their efforts to achieve a complete count.

Nevertheless, these efforts are likely to be thwarted by several obstacles. In addition to the usual problems confronting other minorities, Asian Americans will face additional impediments that are largely cultural and linguistic in nature, somewhat peculiar to newly arrived immigrants from Asian countries. At the May 1975 National Conference on Social Welfare, Tom Owan indicated that a large segment of Asian elderly did not or could not respond to census inquiries on account of fears and suspicion of the Federal Government resulting from past experiences and the inability to read, write, or speak English. As a result, the decennial census seriously undercounts the size of Asian populations, especially the elderly and rural segments. Census data, therefore, may be biased in the directions of describing the better informed segment of Asian American populations.

Indeed, one acute cultural barrier that militates against a complete count among Asian Americans is ingrained in their political experiences prior to coming to the United States. In most cases, they were socialized from early years of their lives to distrust or at least to be suspicious of government. Their trust level is so low that no more than perfunctory cooperation is likely in most instances, unless massive efforts are mounted to allay their apprehensions about possible abuse of personal data.

The Indochinese refugees, for example, who have recently escaped from a country that has endured for many years the deadly internecine warfare, are naturally wary of any contact with government in any form. Their memories are still fresh with the price one paid for being on the wrong side of politics. Many still have their relatives and members of immediate families in Vietnam, and their concerns for them frequently dispose them toward shying away from anything to do with government. The general fears of government and uncertainties about the uses of census data might discourage them from cooperating fully in the census process.

On account of many years of the political division in China, people from Taiwan and Hong Kong are even more given to the proclivity to keep their personal data to themselves. The fear of possible political retribution on their relatives and their friends on the mainland and in Taiwan for political reasons has subconsciously inculcated in them a natural aversion to having much to do with government and politics. The lack of tradition favoring the trust relationship between the government and the citizen is not easy to overcome.

Another serious barrier is the absence of facility with the English language, which tends to exacerbate the first problem. Most of the new immigrants from Asian countries, especially the elderly, may have linguistic difficulties in handling the census form, even in their native language in some instances. The linguistic inability requires sharing personal data with a census taker, which removes the impersonal nature of the entire process. They will become even more uneasy about exposing themselves to a stranger. It will require a tremendous amount of education to surmount the difficulties.

Additional difficulties are likely to stem from the transitional character of the residential patterns, which is characteristic of new immigrants. Most of the newly arrived do not own a home of their own and do not have a permanent, regular employment. They tend to move from one job to another, one apartment to another, and from one town to another. They seldom leave forwarding addresses when they move. In 1978 more than a half of the Korean residents in the metropolitan Atlanta area, for example, moved, which represents a much higher rate than for the rest of the Nation.

A problem of a different nature persists among farmworkers in rural areas. Northern California, for example, has many Filipino farmworkers who do not have families of their own and live with other single workers in boarding houses. As many live together in a single housing unit, it will be difficult to have each individual occupant respond to the census inquiries. Many of them came to this country before and during the Second World War, and most of them are quite elderly, usually without command of the English language.

An accurate census is of vital importance to the entire Nation in numerous ways, especially this year. First of all, it is expected to have major impact on the political landscape. By 1982 the House of Representatives will be reapportioned in accordance with the 1980 census, and the electoral college will also be reapportioned to reflect those House changes. There will be a dramatic shift in power balance between the Northeast and North Central (the Frost Belt), on one hand, and the South and West (the Sun Belt), on the other, as a result of the population growth in the Sun Belt.

When John F. Kennedy was elected President in 1960, the Frost Belt had 286 electoral votes, the Sun Belt only 245 (the Frosties led by 41). Four years later, the Frostie lead had already dwindled to only 12. By 1972 the Sun Belt had, for the first time in American history, more electoral votes than did the Frost Belt States, but by only a slim four vote lead. According to Census Bureau projections, the South and West will have 26 more electoral votes than the Frost Belt—a 22-vote shift from 1960.

This development on the American political scene is likely to enhance the political status of Asian Americans nationally, as California, where Asian Americans account for nearly 20 percent of the State's population, emerges with the expected 47 electoral votes, nearly 9 percent of the total electoral votes needed to win the Presidential election in the electoral college.

The strategic location of Asian American population in other major metropolitan centers of electorally important States will further lend political prowess to the group. Cohesiveness among Asian Americans will even amplify the political power, given the primary system of selecting candidates for public office under very low turnouts. The emergence of Asian American voters as a group will invariably be noticed by candidates; unquestionably, this will be translated into political power and influence.

Moreover, even though the constitutional mandate for a decennial census was primarily to obtain the basis for fair apportionment among the States of seats in the House of Representatives, population is the most frequently used formula allocation factor. While there is much controversy surrounding the use of population as a formula allocation factor, the use of population as a measure of "political fair share" can be traced back to the earliest grants which were often allocated on the basis of congressional representation. (The Morrill Land Grant Act of 1862 granted each State 30,000 acres of land or its equivalent in land scrip for each Senator and Representative for the purpose of establishing the land grant colleges). Further, acceptance of population as a "standard of equity" is also reflected in the fact that most State-by-State distribution of grants are analyzed in per capita terms.

Most Federal programs allocate funds, at least partially, on the basis of total population or some segment of the population. To name a few, under comprehensive planning grants for law enforcement assistance, each State is allocated $250,000 plus a portion of any remaining funds based on its share of the total population. Career education incentive grants, which are designed to relate education to work and work values, allocate resources on the basis of the number of 5- to 17-year olds in each State. For child abuse and neglect, each State is apportioned $20,000 plus a portion of the remainder based on its share of the total number of children aged 18 and under. Benefits for the elderly also are distributed on the basis of population. The available share of Federal funds under more than 100 Federal programs depends, at least partially, on the size of some population groups. To be more specific, more than $50 billion a year is distributed to State and local governments, and additional billions of dollars in State funds also will be distributed.

The programs that are of more immediate interest to Asian Americans include multipurpose senior citizen centers, bilingual education, special education, Housing and Community Development Act of 1974, child health and human development, comprehensive health services, Comprehensive Employment and Training Act of 1973, and equal employment opportunity. Federal agencies that use census data on race include the Equal Employment Opportunity Commission, Department of Health, Education, and Welfare, Department of the Treasury, Law Enforcement Assistance Administration, Small Business Administration, and Commission on Civil Rights. The census data are used also by State and local government officials in administration and fiscal planning. Besides, private organizations use census data to allocate their resources to various groups in society.

Aside from the benefits accruing from accurate count, it is a legal duty of every American to cooperate with the government in the census. And the government, in turn, ought to undertake massive efforts among Asian American groups, first to overcome the cultural barrier through community leaders and, secondly, to help them overcome linguistic problems in filling out the forms.

In the absence of genuine efforts through ethnic organizations and associations, it is unlikely that anything like a complete count can be approached. Such efforts are worthwhile both for the government and also for the citizens, for both stand to gain from success.

Statement on Census Issues—Impact and Reaction

by Tom Kim*

I speak here today as the organizer and director of one of the first Korean service agencies in this country. I speak from my experiences in working with a broad range of people throughout the Korean American community, ranging from "delinquent" youths to successful professionals. What I have to say today comes not from research—others are more qualified than me in that area—but from my experiences with the Korean American community, other Asian American communities, and the greater society in working to have the Korean American community's needs recognized and met.

I do not intend to speak for the entire Korean American community, but out of my community work I want to say that the Census Bureau has a critical responsibility to the Korean American community because of its previous negligence towards this community. Up until the 1970 census, Korean Americans were not even included as a category. Next year, 1980, my oldest son, who is a fourth-generation Korean American, will be 18 years old. This means our family has waited 18 years into the fourth generation before being counted or recognized as Korean Americans in America.

It is clear that the Korean American community is an emerging community that does not yet have either the external visibility or the developed social support systems of the other minority communities. As Dr. Bok-Lim C. Kim has pointed out, probably less is known about Korean Americans than about any other Asian American group, let alone the other established, long-recognized minority groups, such as blacks and Hispanics.

Consequently, the impact of the 1980 census on the Korean American community both externally and internally within the community will probably be greater than that for nearly any other community, and for this reason the Census Bureau should direct particularly well-thought-out, culturally relevant data collection procedures for this community. Some idea of the dimensions of the social service needs that must be met can be seen in the fact that there has been a *1,300 percent* increase in the Korean American population from 1965 to 1976. Nationally, Korean American immigrants represent the third largest immigrating group and the second largest Asian immigrating group (see table 1).

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TABLE 1

Year *	China/ Hong Kong	Japan	Korea	Philippines	Total
1967	25,096	3,946	3,956	10,865	43,863
1968	16,434	3,613	3,811	16,731	40,589
1969	20,893	3,957	6,045	20,744	51,639
1970	17,956	4,485	9,314	31,703	63,458
1971	17,622	4,457	14,297	28,471	64,847
1972	21,730	4,757	18,876	29,376	74,739
1973	21,656	5,461	22,930	30,799	80,846
1974	22,685	4,860	28,028	32,857	88,430
1975	23,427	4,274	28,362	31,751	87,814
1976	24,589	4,258	30,803	37,281	96,931
Total	212,088	44.068	166,422	270,578	693,156

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* Year ending June 30.
Source: U.S., Immigration and Naturalization Service, *Annual Report 1976*, p. 89.

Korean and other Asian immigrants from China, Japan, the Philippines, Thailand, Laos, Vietnam, Cambodia, Indonesia, Burma, India, Pakistan, Bangladesh, Malaysia, and Sri Lanka have chosen to come to the United States despite knowing they would have to endure a prolonged and arduous process before reaching these shores. They have endured this difficult process because they want to become American citizens and want to participate fully in American life. The population of the United States consists of a pluralistic mosaic that was created by immigrants from a diversity of cultures, languages, and historical backgrounds. With the exception of the Native Americans, all Americans can trace their roots back to another country.

The Koreans also come from another country—a country with a rich heritage that can contribute to the pluralistic mosaic that has made this country so strong and an example of how diverse peoples can blend their cultural strengths to form a flexible, pluralistic society. In view of the history of our country, it is my hope that the Korean and other immigrants today will be welcomed as contributors to our rich history rather than viewed as second-class citizens until they are naturalized.

Ninety percent of the Korean population in the San Francisco Bay Area are essentially monolingual (Korean-speaking) immigrants who do not comprehend American culture and society. Politically, they are relatively powerless and tend to fall into the low- and lower-middle-income brackets. A report by the California Advisory Committee to the United States Commission on Civil Rights, released in February 1975, pointed out that, "social services had not provided for the needs of Korean American immigrants whose knowledge of and facility in English was limited."

In this context of the needs of the Korean American community, I would like to say a few words about its relationship to the other Asian American communities. While we consider ourselves part of the Asian American community and work closely with other Asian American organizations, it is critical to understand that while there are important commonalities amongst these groups, there are also critically significant differences. These differences in historical background, culture, previous political relationships, language, immigration patterns, and ways in which each group has responded to the culture of this country make each group a distinct entity with distinctive patterns of social service needs.

The very term Asian American was itself, in large part, a response to American racism which saw all Asians as yellow people to be subordinated, thereby necessitating our organizing Asian Americans to meet our common experience of American racism. However, for the Census Bureau's and other research and social service organizations' efforts to be successful, the heterogeneity of the Asian American groups must be recognized. This heterogeneity is such that when you go into Asian American communities you do not hear people referring to themselves as Asian Americans, but as Japanese Americans or Vietnamese Americans or Korean Americans or Chinese Americans. That is also why I could not successfully speak for another Asian group and why another Asian group cannot speak for Koreans. The tendency of some to blur the differences between the long-established Chinese and Japanese communities under the term "Asian American" is a disservice to each of these communities when it results in a failure to recognize their unique histories and patterns of needs. For the Korean American community and other emerging groups, this tendency has consequences at least as serious—for the Korean community is not only a distinct entity but also an emerging community with all that that implies.

For example, a much larger percentage of families within the Chinese American and Japanese American communities date back for three or four generations. The existence of several generations within these communities is reflected in a relative diversity of social organizations which, in many instances, function as social support systems for new immigrants. Also, a significant portion of the population of these communities has been somewhat successful in acculturating so that their members can function as intermediaries between the white majority and their communities. Consequently, while still in considerable need of more assistance, they have internal support systems as well as partially developed relationships with support systems outside of their communities, such as municipal, State, and Federal agencies. Due to this situation, a fair amount of research information has also been gathered regarding these populations.

However, for the Korean American community and other emerging groups very little of the above applies. As an emerging community we are in the process of developing internal support systems. Much of the so-called Asian American research does not apply to us because much of our population is composed of recent immigrants about whom little is known. The fact that 90 percent of the Korean American population is composed of recent immigrants has numerous consequences amongst which are that our community structure is a fluid, rapidly changing one and that we have relatively few advocates for our community compared to the other Asian American communities.

Obviously, the above situation has complex ramifications for data collection. For one, a population composed largely of immigrants is likely to be considerably more suspicious of government interviewers. For another, the interviewers and collection procedures must be more carefully developed to take into consideration the characteristics of a less acculturated community compared to the more acculturated communities.

In the last section of my presentation I would like to make a few comments about the previous and proposed procedures of the Census Bureau. The shortcomings of the 1970 census and previous censuses are well known and can be better spoken to by others on this panel. However, from the community perspective, I want to object to some of the particularly inappropriate policies and procedures proposed by the Census Bureau.

According to the Census Bureau's own analysis, the 1970 census undercounted whites by only 2 percent compared to nearly 8 percent for blacks. I am certain that the situation for Asian Americans, and particularly for Korean Americans, is substantially worse. The Census Bureau has already admitted that there will also be a substantial undercount in the 1980 census. Yet, despite the National Academy of Sciences recommendations, the Census Bureau has stated that it will *not* adjust its count according to its estimate of the undercount.

I agree with the National Academy of Sciences recommendation that the Census Bureau should adjust its count according to its estimate of the undercount and that the revised figures should be used for the distribution of Federal aid. Given that the undercount for the Korean American population may be more than four times greater than that for the white population and that Federal funds will be distributed in part on the basis of the census results, I regard this refusal of the Census Bureau as at best irresponsible, as it will most likely lead to Korean Americans not receiving their fair share of

Federal and other funds. Once again, those who are most needy and less "mainstream American" are going to be shortchanged.

Secondly, I agree with the ACLU that there are "problems of privacy and confidentiality in the design for the 1980 Census." We feel that the Census Bureau information should not be matched against records kept by the Internal Revenue Service, the Social Security Administration, the Defense Department, or other government agencies. Although the Census Bureau has pledged that its information is confidential, this reassurance is suspect given the disclosures of the lack of confidentiality on the part of governmental agencies in the past. We agree also that after the names have been verified, the personal identification on census information should be destroyed rather than kept on computer tapes. We take this strong position on the confidentiality of the census data because in the past governmental agencies have not honored their pledges of confidentiality, and because of the strong distrust of governmental agencies on the part of many Asian Americans.

The Census Bureau should be able to obtain this essential and detailed data through its outreach methodology and implementation process. To this issue, we make the following recommendations:

- that ethnic newspapers, TV stations, community-based service agencies, organizations, groups, and churches be given proper notification for publicity purposes before the Census Bureau's implementation of its survey;
- that the Census Bureau develop close working relationships with the organizations mentioned above, for the purposes of consultation and information regarding appropriate and sensitive methods of outreach and implementation;
- that community-based service agencies be utilized as "help centers" for bilingual assistance in filling out the census questionnaires and public information;
- that census field offices be based in the target communities—this can be facilitated by community-based agencies on a contract basis;
- that multilingual flyers, to include Korean translations, be prepared to explain, in simple terms, confidentiality and the need and reasons for an accurate count in the census (i.e., equitable allocation of public resources);
- that these multilingual flyers be distributed to postal offices, other government and public agencies, hospitals, and health clinics in areas and zones which have a high concentration of Asian residents, in addition to the above-mentioned community organizations;
- that these multilingual flyers also be utilized and developed for field visits when persons are not at home and cannot be reached so that a response can be made. (It must be noted that Asian immigrants,

especially senior citizens, children, and housewives are highly suspicious, oftentimes reluctant and fearful of strangers who represent government agencies.);

- that permanent residents be hired for bilingual enumerator positions; in the recently arrived, emerging communities, there is a scarcity of naturalized citizens. For these communities, hiring priorities should be given to bilingual permanent residents;
- that total tabulations on all census printouts be given, regardless of whether or not the count is under 5,000. Previously, Asian counts under 5,000 were categorized as "ONW" (Other Non-White);
- that community specialists be increased throughout the Nation, with comprehensive bilingual materials and bilingual contract service backup in local areas;
- above all, any agency, be it government, profit, or nonprofit, must contact members of the respective ethnic group to be involved before, during, and after the issue, if any work is to be successful and relevant;
- that we support fully Senate Joint Resolution 23 by Senators Matsunaga and Inouye, relating to the publication of economic and social statistics for Americans of East Asian and Pacific Island origin or descent to the Committee on Governmental Affairs.

Women's Issues

CHAIRMAN FLEMMING. We now turn to a discussion of women's issues. In this particular area, I'm asking Commissioner Freeman to preside during this part of the presentation.

Commissioner Freeman?

COMMISSIONER FREEMAN. I would like to ask all of the panelists on the subject topic, women's issues, to come at this time.

I take it everybody is properly identified and behind your name?

Our first participant who will speak on the subject, poverty perspective, is Irene Hirano. Ms. Hirano has been the executive director of THE, To Help Everywoman, Clinic in Los Angeles since 1975.

Presentation of Irene Hirano, Executive Director, To Help Everywoman Clinic, Los Angeles, California

MS. HIRANO. Thank you very much.

What I would like to cover briefly are some of the areas related to poverty and women who will fall in that category.

In the long history of Asian and Pacific American women in the U.S., they have been in the unfair and the unfortunate position of bearing a major portion of the burden of poverty in our communities. Contrary to the public image of Asian/Pacific women as being in a comfortable middle class, there have been substantial numbers that have had to bear the fight against poverty, racism, sexism, and all of the accompanying problems.

This is not just a problem of new immigrant women, but an historical phenomenon which has been characteristic of all Asian/Pacific communities. From the first generation of pioneer women who were forced to work in this country as prostitutes and farm laborers to the recent immigrant workers who are forced to seek jobs in garment factories and canneries, a large number of Asian/Pacific women have been subjected to poor working conditions and a poverty status for over 100 years.

Now, a number of those same early pioneer women who are elderly, are living in the poverty ghettos of Los Angeles and San Francisco and other metropolitan areas. Many elderly Japanese women are still living in old hotels and apartments in Little Tokyo and East Los Angeles. They are living on minimum or no social security and/or public assistance benefits.

The myth that poverty does not affect Asian/Pacific communities and in particular Asian/Pacific women, unfortunately, is an attitude that permeates many social service and public agencies. These inaccurate perceptions coupled with institutional racism and sexism often deny eligible Asian/Pacific women of needed assistance and services.

If we look at poverty data that has been highlighted both in the 1970 census and in a HEW study done on low-income Asians, we find that a substantial portion of low-income Asian/Pacific Americans are living in this country.

I won't cover all of the areas related to poverty data. In my written testimony I have elaborated on this area, but I would like to cover a couple of key points.

One is the fact that, if we look at the information on the number of families and, in particular, women who are able to obtain public assistance, a majority of them are not receiving the same level of assistance in terms of dollars as the general population.

If we look at, for example, Japanese in Los Angeles, the proportion of Japanese on public assistance is in all categories far below that of other poverty populations. For example, over one-third of all poor families in Los Angeles have public assistance, but only 12 percent of poor Japanese families do.

Over half of all poor female-headed families of all races receive public assistance, but only one-third of Japanese poor women receive this type of assistance.

In 1970 the Japanese families that were receiving public assistance were, on the average, receiving $200 less than other families.

One of the other poverty-related issues for a growing number of immigrant Asian/Pacific women is the need for public assistance during specific, limited periods of time. These groups include women who are war brides, women married to partners of other ethnic groups, and an increasing number of divorced women who find themselves in need of public assistance while obtaining job skills, child care, or during the employment search.

There is considerable variance within many States and counties as to the interpretation of noncitizens receiving public assistance. Immigration regulations require that aliens not become "a public charge" of the State. In Los Angeles County there is administrative confusion as to whether public charge includes assistance for SSI, SSP, medical or welfare assistance.

Potential applicants may be legal residents, but not citizens. There is concern that temporary public assistance might hinder their application for citizenship at some future date or affect their ability to go abroad then return to this country. Clear guidelines both on a national as well as a local level need to be made so that agencies can interpret them consistently.

Another concern is the area of the working poor and the relationship to child care issues. Asian/Pacific women contribute to family incomes in large and increasing proportions. A substantial part of this support must go to the cost of child care. However, the lack of adequate child care facilities is appalling. An example from the Los Angeles area again will demonstrate this point. In 1978 there were 10,000 children enrolled in Head Start programs in Los Angeles. Only 185 were classified as being of Asian/Pacific origin. There is no Asian bilingual-bicultural Head Start program in Los Angeles.

The HEW national Asian American field study survey conducted in 1974 showed that a high percentage of households were headed by single women in low-income categories. Thus, the problem of child care becomes even more an issue for those in poverty who would like to seek work.

One program in the Los Angeles Chinatown area, Castellar Children's Center, currently has an enrollment of 209 children with a waiting list of 200 to 300. This program now faces the distinct problem of a substantial reduction of its funding due to California's recent Proposition 13. Three other programs exist but only have the capability of 20 to 30 children each, and two of the programs are only half day due to lack of funds. According to the Castellar staff, 76 percent of the participating families in this program earn incomes at or below the minimum wage level even though two parents are working.

In response to this, a community-based agency, Little Friends Playgroup in the Chinatown area, is trying to provide child care services. However, this program currently is only able to service about 25 children. The main problem being is that they are not able to obtain, as are other Asian programs, Head Start monies.

The one Head Start program that is in Chinatown runs a 20-child program out of a nearby playground. This is half-day and a part-year only program. In Chinatown most of the families have both parents working, as I have noted. The lack of available child care forces parents to either find private child care, leave their children at home unsupervised or supervised by young, minor children, bring them to factories or other workplaces, or leave them to wander by themselves in the streets.

In the written document I've included a number of recommendations related to this area.

One of the other issues of working poor women in the Asian/Pacific communities is the lack of employment benefits due to the type of workplace such as garment factories and canneries.

If we look at Asians in San Francisco, Los Angeles, and New York, the labor force participation rates of Asian/Pacific women is even higher than is shown for Asians as a whole. And since many of these women, as I've mentioned, are unskilled or are in unskilled types of employment, what happens is that they are not granted standard fringe benefits. They do not have job rights or job security and there is no health insurance or emergency health services that result from on-the-job accidents.

Interviews from the DHEW national Asian field study showed that a number of women working in factories were unable to obtain adequate assistance for accidents in the factory, were not able to obtain child care and other types of social service assistance.

Another related problem of lower income Asian/Pacific women is the lack of accessible, funded health services that are available for other low-income women. These include maternal and child health services.

This is particularly important due to the number of Asian/Pacific women within the childbearing years, 15 to 44, which has significantly increased due to immigration.

In a study done by our clinic, it was shown that only 10 percent of the eligible Asian/Pacific women in Los Angeles County are currently receiving subsidized family planning services despite the fact that they would be eligible due to income.

One recent example can highlight the need for health education, counseling and social services. At a Los Angeles area high school, a young Asian student of a recently immigrant family, informed the school nurse that she was pregnant. After the daughter informed her family as well, her father being unable to cope with the increasing economic pressure plus the family pressure brought about by his daughter's unwanted pregnancy, found that the only alternative that he had was to kill himself.

Young Asian women who are and will become pregnant and currently have very little opportunity for these types of supportive services, are not able to seek out providers due to language and cultural barriers. Women who do not want to become pregnant also have very little alternatives for finding family planning services to meet their needs.

One recommendation would be in the area of collecting data and reporting this data. One of the difficulties in analyzing proverty is the lack of information that is collected on Asian and Pacific Americans, particularly information by specific ethnic identity. There has been a vicious cycle of the lack of appropriate and adequate funding for Asian/Pacific communities and especially women's programs because of the lack of data. However, there is an unwillingness by public agencies to mandate the adequate data collection procedures for funded programs.

One example of this is the problem in Los Angeles related to the Health Systems Agency, the HSA. A task force of Asian/Pacific Americans met for months with staff of this agency to address the needs of Asian/Pacific Americans in their countywide health plan with a particular emphasis on health services for women. A large number of data sources were made available to them.

When the six-volume HSA report was published, there was not one mention of the Asian/Pacific community. Most of the data had been reported as white/black, with some Hispanic data.

Programs receiving Federal dollars should be specifically required to provide information on need, the types of services rendered, and evaluations which should include Asian/Pacific Americans. The myth of the lack of poverty affecting our particular communities, and in particular Asian/Pacific women, must be dispelled and the reality of the need for social services, health care, job training, and child care must be addressed by Federal officials.

Thank you.

COMMISSIONER FREEMAN. Thank you.

Our next topic is political participation; it will be addressed by Rita Fujiki Elway. Ms. Elway owns a public opinion research firm, Communication Design, in Seattle, Washington, and she was appointed by President Carter to the National Commission for the Observance of International Women's Year in 1977.

Ms. Elway?

Presentation of Rita Fujiki Elway, Communication Design, Seattle, Washington

Ms. ELWAY. Thank you very much.

Can you hear me all right? Okay.

What I'll be talking about are strategies for political participation for Asian and Pacific women. But I think that it's necessary to lay the groundwork by talking about the lack of participation by both men and women in the Asian/Pacific community.

Most typically, people speak in terms of language and cultural barriers to participation. And while it's true that these are factors, there is a problem with that assumption. The assumption is that if you change Asian/Pacific Islanders that barriers to political participation will be removed, and that is not true.

Barriers to political participation by Asian and Pacific people in this country are chapters in the history of violations of civil rights in this country. They've existed for as long as Asian and Pacific people have been associated with the U.S. jurisdictions, and I'd like to just briefly go over some of those barriers.

The first barriers are barriers to citizenship. It was not until July 27, 1952, that Japanese were allowed the right to naturalization in this country through the Walter-McCarran Act. This was almost 90 years after blacks were given the right of U.S. citizenship.

Chinese were allowed the right of citizenship only 8 years before the Japanese, because they were considered allies of the United States. Filipinos were considered wards of the State at that time and thus had permanent visas.

Another barrier to political participation is the legislative barrier to the ownership of land. Ownership of land in this country was an original qualification for citizenship. While this requirement no longer obtains, it's still true that the right to land ownership is one of the keys to the full social, economic, and political participation.

In Washington State, the alien land law was enacted in 1889, which prohibited noncitizens from owning land. That meant if you were an Asian, not born in this country, you could never own land. Other States followed Washington's example, enacting similar alien land laws, and it was not until 1952 that the United States Supreme Court declared those laws unconstitutional.

In Washington State's past legislative session, attempts were made to reintroduce the alien land legislation. Similar efforts have been made in the U.S. Congress to curbing foreign investment, but the memory of this insidious legislation is far too recent for most Asian Americans.

For Pacific Islanders, the land situation is somewhat different in that they have been systematically deprived of the land which once belonged to them. The effects, however, have been similar: political, economic impotency.

Another barrier to political participation is in the area of displacement. There is strong evidence that a sense of community strengthens political efficacy. As long as the Asian/Pacific people have been associated with the United States, there have been concerted efforts to violate their communities. Anti-Chinese riots have resulted in the massacre of entire communities. In some instances, entire populations of Japanese in cities were shipped in trains against their will to other States. Between 1939 and 1945 all persons of Japanese descent on the west coast were placed in inland concentration camps. This is not to be confused with the Nazi death camps. Executive Order 9066, which ordered the evacuation, was not repealed until 1976.

Urban renewal has hit Asian and Pacific communities, disrupting their physical and historical identities. Most recently, Asian and Pacific civic communities which border central business districts have been targets of very active speculation and development which is incompatible with the identities of those communities.

Another barrier to political participation has been immigration policy in this country. Immigration policy in this country has favored the importation of cheap labor and discouraged the formation of family units.

Once labor was imported to this country, stringent immigration quotas were imposed, limiting the immigration of fiancees, wives, sons, and daughters of laboring Asian men.

Because of antimiscegenation laws, laborers had their difficult time finding mates in this country. As a consequence, Asian communities have had large number of single, elderly Asian males. This is particularly true in the Chinese and Filipino communities where the establishment of family units has been severely impeded by immigration policies.

The fifth area of barriers to political participation is under the broad title of the education system and the mass media. The stereotype of men and women of Asian/Pacific backgrounds has been one of passivity and service to white America. For Asian and Pacific women, the stereotype has been one of exotic femininity, and for Asian and Pacific men the stereotype has been the docile submission and a preoccupation with the service industries.

None of these stereotypes have encouraged a view of Asians or Pacific Islanders as possessing any kind of political efficacy. This passive stereotype has, in fact, encouraged the notion both within the larger community as well as within the Asian/Pacific communities that Asian and Pacific people are only good for certain kinds of roles in life.

This stereotype has been reenforced in the educational system, both in terms of occupational counseling and educational tracking. Skills necessary to achieve political participation are not encouraged. It's also assumed by the educational system that Pacific Islanders are not much good for anything besides music and labor. These assumptions either consciously or unconsciously become the basis of decisions made about the nature of educational resources invested in the individual.

What does it take to achieve political efficacy? While forces and events have conspired to discourage the growth of political participation by Asian and Pacific people, there are many people who pointed out that many of these injustices faced by Asian and Pacific people would never have happened if we'd only spoken out against what was happening to them. But I think the evidence shows that barriers to free speech and civil rights went far beyond timidity or complacency in the Asian/Pacific communities.

In recent years, however, participation has increased markedly. Something has been happening in Asian/Pacific communities. What I'd like to do is point out what some of those things are, because it's really hopeful.

The first thing that's been happening in Asian/Pacific communities is the development of a greater level of education and awareness about

Asian and Pacific history and current issues. The civil rights movement of the '50s and the ethnic pride of the '60s have had really profound effects on Asian/Pacific communities. Throughout the '60s and '70s we have found that Asian and Pacific people have developed a knowledge and awareness of their history, both before and after U.S. contact.

Self-knowledge has then encouraged a sense of value and mission, and the mission is to work to ensure the vitality and the future of Asian/Pacific communities.

Another major positive event in Asian/Pacific communities has been affirmative action. Although affirmative action needs for Asian and Pacific people are not even close to being met, as is the case with most ethnic groups, there have been many positive outcomes from affirmative action programs. More Asian/Pacific people have access to employment and education than ever before. They have legal recourse in the face of racial and sex discrimination. Another outcome has been that affirmative action programs have been a coalescing issue, both within our communities and with other ethnic minority communities. Thus, affirmative action has promoted access to political participation in two major ways.

The women's movement has been another major event in Asian/Pacific communities. Although women of color have typically taken a somewhat token role in the women's movement as a whole, the benefits of tokenism should not be minimized and the presence of women of color in feminist activity has sensitized others to the particular concerns and philosophy of Asian/Pacific women.

The women's movement has given some visibility to the concerns of Asian/Pacific women, for example, working conditions of garment workers, where garment workers are not suffering the same occupational diseases that women and children in the 19th century were suffering. The physical abuse problems of wives of servicemen are gaining visibility, as are family planning options for Asian and Pacific women, and so on.

Within the community, women's groups have formed across the country. Asian and Pacific women have developed support groups, community education programs, and political interest groups, which emphasize their common concerns. Much of this interest in Asian and Pacific women's concerns stems from the large movement of women throughout the country.

Assimilation is something that is also occurring in Asian/Pacific communities. This is kind of a two-edged sword. Because, on the one hand, assimilation has the effect of providing us with political survival skills; on the other hand, assimilation has also had the effect of absorbing Asian and Pacific people into the general population or making people within those communities feel as though they're just like white people, which isn't true. Fortunately, because of the emphases on the development of historical and cultural identity, this trend has been somewhat altered.

The other major event in the community has been success stories, and that is something which, you know, as we are seeing the development of models of people that have been successful in political participation advocating for the community, that's another sort of inspiration for the community.

Thank you.

COMMISSIONER FREEMAN. Thank you.

The next topic is that of legal issues which will be addressed by Diane Yen-Mei Wong. Ms. Wong now serves as executive director of the Washington State Commission on Asian American Affairs.

Ms. Wong?

Presentation of Diane Yen-Mei Wong, Executive Director, Washington State Commission on Asian American Affairs, Office of the Governor, Olympia, Washington

Ms. WONG. Thank you very much.

Just by way of introduction, I'd like to define some of the parameters within which I shall try to keep my remarks. One echoes a concern that Rita raised: sometimes it's very hard to separate women's issues from issues that affect the entire Asian/Pacific American community. Legal issues falls into that category.

The other parameter that I'm working under is that legal issues do not exist in a vacuum. They rise from factual situations. Therefore, many times when I'm talking, you'll be thinking: Is that really a legal issue? And I just want to let you know now that I'm talking about these factual issues because I think they're ripe for legal action. A lot of these issues become legal when people in the Asian/Pacific American communities challenge them—challenge practices or file suits.

Because of the time limitation I'd like to just focus on three or four major topics. The first has to do with employment. Employment has been talked about quite a lot this morning already. When you talk about white men, men of color, white women, or women of color, it's the women of color who are at the bottom in terms of types of jobs and pay. This includes Asian and Pacific American women.

There's a stereotype about what Asian/Pacific American women can do. There's a stereotype, for instance, that all of us have succeeded and that's not true. There is a stereotype that all Asian/Pacific American women are passive and so if you don't promote them or if you don't give them a pay raise they won't do anything about it.

A professor at the University of Washington once told me that the bank that he goes to once promoted all of their tellers except for two women, one black woman and one Asian American woman. The black women went in and complained and shortly thereafter got her raise. Several weeks later the Asian women had not yet gone in to complain. She went to talk to this professor.

The professor told her, "You should complain." She went in and the management was very, very surprised. They said, "Well, we can understand this behavior from the black woman, but not from you." They resisted very much in giving her the raise.

The types of jobs to which Asian/Pacific American women are limited have been raised by prior speakers. One clearly is clerical work. We find that many firms, many agencies can point to their affirmative action statistics and say that they have a lot of Asian Americans in our firm. That, perhaps, is true, but you must look at where they are located. Vertically, they're down at the bottom. You look at the type of jobs they have, and it's clerical.

The training that is available to help Asian/Pacific American women get out of that type of work isn't generally available. Many people are not responsive to the needs that Asian/Pacific American women have for more training and more diverse training. This affects especially two groups of women: one is the recent immigrant women and the other is older Asian/Pacific American women.

Health and social service agencies throughout the country do not have training programs and support service programs that are available bilingually and biculturally.

I would like to focus perhaps on one specific employment area that has been raised before. It is the garment industry. I've worked with garment workers in Seattle for a couple of years now. It's very frustrating working with these women. I have a particular interest in this group because my mother is a garment worker. She has been doing this for about 20 years. The women have raised many, many problems which have not yet been addressed by National Labor Relations Board or by the Department of Labor, but which should be.

One of the problems has to do with union representation. Unions were permitted to represent a particular factory or an industry because they promise that they are going to represent the interests of all the workers in that group. It's hard to imagine how they can represent Asian/Pacific American women when most of those women who work in that industry cannot speak English and their bargaining agreements are not available in any other language but English. Further, many times the factories or unions will not give copies of the bargaining agreement to the Asian/Pacific American members of the union.

Meetings are not permitted to be translated into languages other than in English. Any information about benefits, insurance, medical programs, or any limitations on those types of benefits are also not translated.

When I was working at legal services, I had many clients who lost out on benefits because they did not understand what the limitations were—the time limitations, how many copies you had to submit to a particular doctor, etc.

Another major complaint that the garment workers have has to do with working conditions. They are very, very poor. The conditions have not changed that much since the early 1900s, when you had many eastern Europeans working in the garment factories. Many of the women are afraid to assert their rights to better working conditions. One of the threats that employers hold above them is the fact that well, "You're not an American citizen; you cause any trouble, we'll deport you." This happens time and time again.

When we try to work with the women, they just express to us, "We can't do it. Our families need us here. We cannot go back to Hong Kong; we cannot go back to Taiwan." In most cases there is no valid reason to say that they can be deported, especially for asserting their rights to organize or for asserting their rights under the union.

Another area that affects Asian/Pacific American women, and which is ripe for legal action, has to do with women who are battered or women who are going through dissolutions or divorces. These are problems that are becoming more and more common among all the generations of Asian/Pacific American women.

This shatters a stereotype that many people and agencies have of how close-knit Asian/Pacific American families are. They don't know how to handle an Asian/Pacific American woman who comes to them and says that I'm being battered, I'm being hurt, I'm being physically abused by my husband, or I am seeking a divorce.

Women's centers and shelters generally do not have bilingual people who can help these women, and they are not biculturally sensitive. Many of these centers and shelters are funded by Federal funds and thus should provide services in an undiscriminatory manner. Yet, there is no commitment to bilingual-bicultural needs, even where there are high concentrations of Asian/Pacific Americans.

The language serves as a barrier and a lack of cultural sensitivity also serves as a barrier. This is especially true for two groups, the wives of U.S. military and immigrant women. For these two groups, there's a deep feeling of isolation, and if they cannot seek bicultural-bilingual help from shelters and centers, there's no place for them to go.

The last area that I'd like to touch on has to do with courts and police relations. My role and experience as an attorney has raised two other issues that are directly related to the legal system. One is that in many courts there's a lack of bilingual personnel. So when you have an Asian/Pacific person, man or woman, come in, there is no way for them to express their side of the story, or they cannot understand what is happening to them in court.

Many times the courts do not make an effort to provide translators and they should.

The stereotype ascribed to Asian/Pacific women affects the way that the police and the courts react to them. There are many cases where Asian/Pacific American women have had unwarranted and unwanted advances made to them by police because of the prostitute stereotype given to Asian/Pacific American women.

Another stereotype that affects those kinds of advances has to do with the stereotype of Asian/Pacific American women being passive and submissive, thus, even if something happens to them they're not going to do anything about it—they're not going to report it; they're not going to scream about it.

This passive-submissive stereotype also affects how a court perceives how they should behave in a courtroom. When they don't behave according to plan, the courts don't know how to respond. All of these factors lead to injustice in the judicial system, and that bothers me a great deal.

In closing, I'd like to emphasize again that Federal agencies have a responsibility to be responsive to all people, and most of them have not been responsive to the needs of Asian/Pacific Americans.

The National Labor Relations Board has not helped in the garment industry. It has not helped in disputes involving the unions' bargaining agreements. The Departments of Labor and the similar State agencies have done very little in providing adequate bilingual-bicultural training and support services for Asian/Pacific American women workers. The same problem exists with regards to the Department of Health, Education, and Welfare.

The Washington State Commission on Asian American Affairs had a hearing just this past weekend. Time and time again, those women who testified told us that though they had filed complaints with EEOC or with other State and Federal agencies, they would actively discourage others from filing complaints because they would not want to subject them to the same type of harassment and futility that they had gone through.

That's an indication of the perception of Asian/Pacific American community about a lot of Federal agencies. Asian/Pacific American women have a lot of needs that are not being met by Federal agencies responsible for that area. We need some changes.

My personal preference leans towards amicable resolutions to problems. But unless there's change forthcoming, I think that we're all going to see more and more Asian/Pacific Americans challenging practices of Federal and State agencies through administrative hearings and through court actions.

Thank you very much.

COMMISSIONER FREEMAN. Thank you.

The next topic is military wives, emerging roles of Asian immigrant women, which will be addressed by Bok-Lim Kim. Ms. Kim has been a professor and social worker at the Urbana campus at the University of Illinois since 1975. Ms. Kim?

Presentation of Bok-Lim C. Kim, Associate Professor, School of Social Work, University of Illinois, Urbana

MS. KIM. Again, just minor corrections, since 1970, I've been on leave doing research.

Before I start on my topic, I want to make one comment and a request to the Commission. Looking at the audience attending this consultation I cannot help but make a comparison to the battered women's consultation and the tremendous audience we had. Comparing that to this, I think it's a very good indication of negligence; I'm not sure whether it's even a benign negligence, but lack of interest and awareness on the part of a majority of Americans to the needs and the problems that confront Asian and Pacific Americans.

For that reason, I think it's incumbent upon the Commission itself—you have a great responsibility to disseminate all the information that are coming through this consultation to the wider America, so that they can hear us; so I want to make that comment.

Today there are—roughly estimated—numbers of Asian women who married and have immigrated, moved to this—who married military men overseas and have immigrated to this country—numbers roughly 200,000. These women are scattered all over the Nation, largely invisible, both from our majority society and from Asian and Pacific American communities because of their social isolation.

The immigration of wives of American soldiers began in 1947 when the United States Congress belatedly granted immigration to Japanese wives of U.S. servicemen stationed in Japan. Again, referring to Rita's comment, similar provision was enacted by Congress in 1945, but Asians were excluded and special amendment had to be made so that their marriage and immigration to this country was possible.

This initial wave of Japanese wives were followed by Korean and later by Vietnamese and Thai women. Intermarriage and immigration of Filipino wives of both U.S. Navy and civilian personnel have always been sizeable because of a prolonged U.S.-Filipino relationship.

Attitudes toward these unions range from caution to outright hostility among the relatives and home communities of both Asian women and their American husbands. The attitude of U.S. military establishments towards these marriages can be best characterized uncharitably as negative.

It's basically very abominable but I won't say that. These attitudes and behaviors of the respective parties do not usually improve over time. And such negative reactions often contribute or exacerbate marital problems and, consequently, we do see spouse abuse, desertion, separation, and divorce.

For a more detailed discussion of the studies and programs, a limited number of programs dealing with these issues, and as part of my testimony, I'm appending three articles which I have authored on this subject.

Without going into many complex and interacting factors adversely affecting the marital harmony and adjustment of these women and their husbands, I'll list the problems that require our attention. Later I will also list programs or measures that we can take to ameliorate these problems.

First, as mentioned earlier by other members, the communication is a real issue. Communication among these marriages is greatly handicapped by the Asian wives' lack of proficiency in English and their own unfamiliarity with lifestyles and values in American society. However, this problem is not only one-sided. The situation is two-fold in that their husbands' own failure to learn the language and cultures of their wives also contribute. After all, marriage is a joint venture, and the onus of learning American values or English language should not fall only on the part of the Asian woman alone.

Number two problem is the psychosocial isolation and alienation. Isolation of these Asian wives are the result—again it's a very complex factor—a result of social isolation and language barriers which is often exacerbated by insensitive or inaction on the part of their husbands and those around them who have failed to support and guide these women in dealing with their new environment.

The Asian wife has left her family, friends, their own familiar surroundings, everything which is dear and familiar to them when she immigrated to the United States. She was part of a family and community system in which she had status and roles which provided her with some—her sense of well-being and self-esteem.

In the new and unfamiliar surroundings, handicapped by her limited English, and without anyone to guide her, she's helpless; she needs a supportive and caring person to teach, guide, and assist her in acculturation.

Unfortunately, among the women and families who have come to my attention for service, the husband or people immediately around them have failed in this precise task. Often the husband is not aware that such assistance and support are needed. He expects a speedy and a miraculous transformation of his wife to be a competent wife and homemaker in her newly adopted country.

He becomes impatient and frustrated with her slow pace in learning, he often becomes verbally and physically abusive towards his wife, and I can provide you with some of the statistics that are available through the military installations scattered around. They are not very good statistics but nevertheless they are some.

The couple's failure to anticipate these adjustment tasks and the temporary role strains generated by a wife's dependency is often the key factor in marital disruption, spouse abuse, and desertion. Psychosocial isolation and alienation, which is the consequences of the above mentioned failures, acts as a further hindrance to a host of other psychosocial intimidation hindrance toward the couple and the children.

I need not repeat the noxious effect of alienation on the psychological well-being and the social functions of individuals in a society. The only difference in the case of Asian wives is that their isolation and suffering are hidden and unknown in a majority society. Thus, remediation is not possible.

We must have the Asian wives become full participating members of our society as wives, mothers, and useful citizens.

The third issue that probably will have more relevance to you, immediate relevance, is the—their unfamiliarity with the legal underpinning of American society and, by the way, the problems that Asian wives face in this respect are very similar to Asian immigrants as well.

As the common saying goes, culture and value system between the East and West are often diametrically opposed. Nowhere is such a difference more apparent than in the sphere of management of conflicts and disputes in personal, social, and commercial transactions in the two societies.

Contracts and agreements are sealed in legal written documents in the West, while similar agreements are consummated verbally in the East, and I recall in *Time* magazine that this fact was noted about our new relationship with mainland China.

Harmony and compromise based upon the moral and ethical code enunciated by the teachings of Confucius are the ideals to which many Asian societies still aspire. Resorting to court for settlement of conflicts is still frowned upon and despised in Asian societies. This explains the different mindsets and the difficulties that Asian wives have who must deal now with a different and highly complex legal system which regulates and often governs daily life in America.

Even the most intimate marital and parent-child relationships in this regard, I will take the case of a—being accused of child abuse. My mother thought it was within her full responsibility and right to discipline her child and yet she was reported, and her consternation and her bewilderment was just unthinkable, so this is one of the examples.

Ignorance and unfamiliarity with the American legal system severely handicaps the Asian wife and places her at a great disadvantage in this country. Asian wives whose husbands are still with the Armed Forces are unfamiliar with the rules and regulations that affect their lives, and, as a rule, do not know the benefits and privileges accorded to them as dependents of military personnel.

The consequences of ignorance result in divorce without her knowledge, loss of rights as a legal spouse, loss of child custody and financial support, in some cases, commitment to the mental hospital without knowledge or consent. Threat or actual deportation, loss of permanent residency, and also in majority of cases, a loss of opportunity to become a naturalized American citizen.

I can enumerate most of these dire and often tragic consequences of not knowing or not having a bilingual advocate who can protect these rights.

I will now list some of the remedies that I see that need to be developed. First of all, I have said 200,000 which is an estimate. We have absolutely no data on number or the location of these women. And then data can be obtained but it cannot be, and instead of just going through the why's of these provisions I'll just simply list them as they should be offered in English classes on many levels for these women, geared to the needs as wives, mothers, and consumers of services.

Number two, bilingual resource books should be made available which list their rights and responsibilities and many of the information regarding the community where they live.

Also, I would like to see a bilingual hotline available which connects them to the majority community and to get services; and also bilingual aid should be available when they get into legal problems.

And then, above all, coordination of services and networking among the service agencies and the consumers. I can elaborate much more on this, but I just will list and more details will be forthcoming in my text.

COMMISSIONER FREEMAN. Thank you.

Dr. Tin Myaing Thein will discuss health issues. She is a senior researcher with the University Research Corporation in San Diego, and has recently formed an independent research company.

Dr. Thein?

Presentation of Dr. Tin Myaing Thein, President, Communicasia, Inc., San Diego, California

DR. THEIN. Thank you. Commissioners, ladies and gentlemen. I'm honored to be here today, and I applaud your Commission's attention to the Asian/Pacific communities that have been virtually ignored by Federal agencies. I hope that this is just the beginning of a trend aimed at meeting our needs and acknowledging our problems.

I would also like to make a comment before getting into my topic of Asian/Pacific women's health issues. I serve on the National Advisory Committee for Women. Since Asian women's issues cover a wide range of areas such as health, education, employment, human rights, and political rights, the Committee recommended to the President that he appoint another Asian/Pacific women member so that my work would not be so heavily burdened.

The President has accepted the recommendation. I would like to suggest to the Commission that such a similiar recommendation could come from you to the President, even though I know that it is he and the Senate that appoints you.

My topic on Asian/Pacific health issues deals specifically with the health problems of Asian/Pacific women, the problems of health service delivery, and the representation of Asian/Pacific women in the health industry.

My presentation is based on data from published studies that have included Asian/Pacific women as a subsample of the study population, unpublished documents, and reports.

Needless to say, there's no nationwide study that has conducted a meaningful survey regarding the health problems of Asian/Pacific American women. In trying to prepare for this presentation, I became painfully aware of how inadequate our knowledge is of Asian/Pacific women's health issues. Very few systematic empirical studies have been conducted of this population. In some studies the health problems of Asian Americans are mentioned only as an afterthought. This just supports the benign neglect theory which others have stated already.

The first health problem I encountered in my research was the rising incidence of breast cancer among Japanese American women. Quisenberry and associates report that the incidence of breast cancer among Japanese American women residing in Hawaii as doubled between 1947–54 and 1960–62.

Based on this information, they analyzed data from the tumor registry in the San Francisco Bay area, and found that there was a strong upward shift in the incidence of breast cancer for Japanese American women in the Bay area.

Another researcher, Buell, examined the rates and concluded that the incidence of breast cancer in Japanese American women probably rose throughout the United States. And he concludes that the reason for this is environmental and has tremendous health education implications.

The second health problem I found reported in the literature was the high rate of cardiovascular-renal disease among Filipino women. Bennet, Tokuyuma, and McBride compared this group of Filipino men and Japanese males and females. The Filipinos showed the highest rate of cardiovascular-renal disease. They offered no explanation for this.

Another problem is domestic violence and rape, which has already been discussed by Bok Lim and other speakers here. A survey conducted for the Asian Women's Center of Los Angeles showed that the fear of rape and violence was a paramount concern in the sample of women aged 18 to 25, most of whom were Japanese.

The center believes that the incidence of rape and violence is higher than anyone believes because Asian women will not report such incidents out of shame.

Another problem is occupational hazards. I think we've already talked about our participation in the garment industry. In 1970, 58 percent of the Asian American women who worked were in clerical positions or in the garment industry. The long hours, minimum pay, poor working conditions, such as heat from the machines and poor ventilation, have already been documented. But there are no data to show the incidence of illnesses due to the textile chemicals or to accidents due to fatigue. Many people feel this is because workers will not report anything since they fear they will lose their jobs. But the occupational diseases related to this industry are well known, and since such a high proportion of our women work in this occupation, we assume that this is one of our health problems, too.

The rest of the health problems that I uncovered in my research lie in the area of psychopathologies, most frequently characterized as depression due to alienation, isolation, and guilt.

The first subgroup that I looked at was elderly Asian/Pacific American women who are mostly Japanese. Along with other health and financial problems associated with age, isolation also contributes to mental health problems. Ms. Midori Inouye of Los Angeles states that loss of family, loss of friends, loss of income, with few knowing or using medicaid or medicare, loss of mental stimulation, loss of self-value, lack of opportunity to work, less companionship, all lead to depression. Many cannot speak the English language, at least not enough to communicate. Therefore, they do not go to institutionalized hospitals. Instead they live alone. They cannot even communicate with their own grandchildren, since the younger generation raised in America now speak English and no longer speak Japanese.

A study conducted by Weaver also shows that the rate of depression is very high among Filipinos due to stress in interracial marriages.

We've already talked about interracial marriage. Bok Lim has already outlined the problems that Asian wives of U.S. servicemen have. I can only add that in Seattle 80 percent of our women are married to men outside of our own ethnic group. So the problem affects a large proportion of our population.

A 1970 study in Los Angeles showed that the majority of Asian youth dying from drug overdose were women, and it has been hypothesized that this is also due to alienation and isolation.

I participated in an evaluation of Department of Labor, CETA Title III projects for persons of limited-English-speaking ability which showed that psychological counseling is very much needed for these people, many of whom are immigrants or refugees. The counselors in these projects reported that there's a tremendous amount of depression due to guilt. They feel guilty for leaving their homeland; guilty for being in the United States while friends and families are under communist rule; guilty for being perceived as traitors to their cultural values and ethics; depression due to isolation and lack of the strong social network which existed before; depression due to a diminished self-concept arising from their inability to obtain employment commensurate with their professional status. This is particularly important because Asian/Pacific American women have a high level of educational attainment, even higher than the national average in the United States. Yet 58 percent of us work in the garment industry and clerical positions.

The results of discrimination, sex role, and race stereotyping have really taken a toll on Asian/Pacific American women. In terms of services delivery, Asian/Pacific women's use of public health services and facilities has really not been studied. But communities report that the utilization rates are very low, and Canta Pian stated that Asian women use health services only in emergencies and not as preventive measures.

When an Asian women uses health services, such as during births, service providers have found that few have had any prenatal care, which is necessary for good health and a safe delivery.

Christine Hsu of Los Angeles hypothesizes that this may be due to a culture which encourages prevention and good health only among pregnant mothers, that is, taking care of yourself when you're pregnant for the good of the baby.

She translates this to mean that Asian women's roles are subordinate to men's. That is, women play secondary roles.

Maya Iwataki suggests that there are other cultural factors that act as barriers to health care. One is modesty. Another is dealing with white, male physicians who are perceived as members of the higher economic class. Institutional racism is another factor. There are materials and forms that not been translated, personnel that do not understand the culture or cannot communicate. These have also been suggested as barriers.

Another factor is the culture of poverty. Since a large proportion of Asians grew up in the culture of poverty, many practices of this culture still prevail, for example, they will not see a doctor unless a crisis emerges because they can't afford it. This attitude still exists today.

Finally, I'd like to talk a little bit about the health industry and our representation in the health industry. Asian/Pacific women are denied equal pay, equal status, and equal representation in decisionmaking positions. In 1970 *National Review* showed that women of all races constituted only 1 percent of the dentists, 6 percent of the physicians, 12 percent of the pharmacists, but 97 percent of the registered nurses. Few Asian/Pacific women are represented in these occupations, except perhaps as nurses.

What is obviously needed is an accurate assessment of the health needs and problems of Asian/Pacific women. We need adequate health education services and projects, bilingual-bicultural staff in public health facilities, outreach programs, and the promotion of the attitude that health is a human right.

I say this because I recently attended the only known Asian/Pacific women's health day in Los Angeles. I was very excited by such an event, but when I attended it I found that workshops had been funded to educate Asian/Pacific women about the fetal alcohol syndrome. No needs assessment had been conducted to see if alcoholism was high amongst us. It isn't. The topic chosen demonstrated how out of touch the Federal Government is with Asian American women's health needs. It also demonstrated that the priority in preventive health care was not women's health, but fetal health.

Thank you.

Commissioner Freeman. Thank you.

Vice Chairman Horn?

Discussion

VICE CHAIRMAN HORN. Ms. Wong, I was interested in some of your comments about the need for bilingual services, especially in spouse abuse centers. And I thought I might get at one of the problems by asking you several questions.

Do you know offhand how many Asian American/Pacific Island language groups there are in the Seattle area?

MS. WONG. I think in the Seattle area there are somewhere between 17 and 25, it's hard to tell because there are several dialects.

VICE CHAIRMAN HORN. I think what this leads us to is how can we best think of organizing access to some of the services that have been mentioned by you and other panelists? For example, in a spouse or child abuse center, I'd like to get clarified for the record, your thinking as to whether you're talking about a list of available interpreters, consultants, etc., which could be called upon when an individual who represented one of those 17 to 25 language groups came to the center, or are you talking about the availability of full-time staff to represent each of the 17 to 25 language groups?

MS. WONG. I think that there needs to be an assessment of what are the language groups that need the help the most, in what particular areas. I think that one of the groups that comes to mind most is Korean women. If there needs to be a priority set, then maybe it should be with Korean women.

And you asked me about—

VICE CHAIRMAN HORN. Would you set that based on size of population group or incident of particular type of problem?

MS. WONG. The incidence of the problem, but I think that that needs to be assessed, you know. This is just my own reaction. I'm not a researcher and I don't know; Bok-Lim might have more information on that.

When you're talking about the different approaches to use, I think that you have to use both. I don't think that agencies and organizations have the funding right now to commit adequate resources to fund full-time positions to meet those language needs.

And, in the meantime, perhaps what they can use is to develop a working relationship with groups in the community that do have bilingual resources, but I think that what I would ultimately like to see is an internal commitment by organizations by agencies and by funding groups to get full-time people on board.

VICE CHAIRMAN HORN. Well, I think the practicality of administering any center, such as the ones we're talking about, would be that if there is a large population of one language group in a community, and that population did have the incidence of needs, certainly one would expect perhaps a full-time employee.

But I believe that it is completely unrealistic to think you would have full-time employees who cover the spectrum of language groups when most such agencies have a very difficult time even keeping the doors open with any employees in any city in the United States. I just feel that before expectations are falsely raised, we ought to get clarification as to a process that can meet these needs through, as you suggest, relationship with existing community groups and knowledge of the availability of such individuals to be helpful when their skills are needed in such a center.

Ms. Wong. I'd like to respond to that and then Bok-Lim has also indicated that she wants to respond.

There is a group, for instance, in Seattle, that has the facility to do a lot of those kinds of things, to provide language, people who speak different languages, and they are on call to different centers and agencies.

But as you mentioned, you know, they have trouble with funding also. But I think that there needs to be a commitment by the funding sources to build in those types of needs.

Bok Lim?

Ms. Kim. May I make a comment? If not, I don't—

Commissioner Freeman. We've just about run out of time.

Ms. Kim. I'll respond in principle. I think this argument, this type of argument has been used to not find anybody at all or not have anybody on the staff, and as service providers I would like to make one comment. While we cannot provide a person for every language group, having an Asian face in any staff member of any agency facilitates and opens the door, so that this Asian person certainly will be sensitive to how to use different local resources, so that I think without a staff, I don't think very much of a service could be done, so I think it's critical.

We are not asking for 28 language staff persons to be on the staff. What we are really talking about, a person who has some ability and empathy for the Asian/Pacific populations and once you have that type of person on staff, many doors open, and many community, unknown ethnic community resources become available, but that is very critical to have one staff or two persons on the organizations.

And I cannot you know—I have a very strong vision about this.

Vice Chairman Horn. Well, I don't think anyone would disagree with that, provided you have at least four staff members in one of these agencies, because if you are in an urban area, there's obviously going to be Indian American women, Mexican American women, black American women, and Asian American women, who would all like to have an opportunity to see a sympathetic face who understands their particular cultural needs, but I don't think this could be dismissed as something that is put up to block access. It isn't.

What we're searching for are what are realistic ways to meet the type of incidents and needs you're talking about, assuming that staff resources are not unlimited, and I think that's a very practical question that any community and any Federal funding agency or State or local agency must face, based on the spread of problems we have in this country.

COMMISSIONER FREEMAN. Thank you very much.

The issues that have been brought out here will certainly be reconsidered as we go through the rest of the day and tomorrow. And I'm hopeful and I'm sure you are, that by the end of this consultation we will have some better ideas as to implementation.

Thank you very much.

And, Mr. Chairman?

CHAIRMAN FLEMMING. The consultation is in recess until 1:00 o'clock. We'll start–we will resume promptly at 1:00.

Papers Presented

Poverty and Social Service Perspectives

by Irene Hirano*

In the long history of Asian and Pacific American women in the United States, they have been in the unfair and unfortunate position of bearing a major portion of the burden of poverty in our communities.

Contrary to the popular image of Asian/Pacific women as being a comfortable middle class, substantial numbers have had to bear the fight against poverty, racism, sexism, and all their accompanying problems.

This is not solely a problem of new immigrant women, but a historical phenomenon which has been characteristic of all Asian/Pacific communities. From the first-generation pioneer women who were forced to work in this country as prostitutes and farm laborers, to recent immigrant workers forced to seek jobs in garment factories and canneries, a large number of Asian/Pacific women have been subjected to poor working conditions and a poverty status for over a hundred years. Today, many of these pioneer women are senior citizens living in poverty ghettos of Los Angeles, San Francisco, and other metropolitan areas. Many elderly Japanese women are still living in old hotels and apartments in Little Tokyo and East Los Angeles. They are living on minimum or no social security and/or public assistance benefits.

The myth that poverty does not touch Asian/Pacific communities and, in particular, Asian/Pacific women, unfortunately, is a view that permeates many social service and public agencies. These misperceptions coupled with institutional racism and sexism deny eligible Asian/Pacific women of needed assistance and services.

A. Poverty Data

In an examination of poverty data for Japanese in Los Angeles, several statistics highlight the problem. The Japanese community has been identified as the "model minority" and often has been seen only through this one perspective.

In Los Angeles County, the proportion of Japanese female heads of household and elderly heads of household is greater than the general population in several low-income communities. About one out of every five Japanese families in poverty in low-income neighborhoods is headed by either a female, elderly person, or in some cases, both.

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The elderly poor seem to be concentrated in low-income areas, but the female-headed Japanese family that is poor is more often found in other parts of the city. The high percentage of female-headed families (27 percent of all Japanese poor families in Los Angeles are female headed) includes former war brides as well as other women left with sole responsibility for their families.

Almost three out of every five Japanese women 16 years old or over are in the work force, three-fourths of those women are working full time. By contrast, only a quarter of those women in poverty are in the work force. The percentage of Japanese families at or below the poverty level is misleading. An important variable contributing to the statistic is the ability of women in the family to contribute additional income. The income made by a Japanese male alone is often not enough to keep the family out of poverty, and a significantly higher percentage of Japanese women are in the work force.

Ten percent of Japanese women in poverty who are in the work force are unemployed. Less than half of those women who are working are working full time (47 percent).

This situation is even worse for those women who are heads of families. While three-fourths of all Japanese female heads of families who, in many cases, are the sole earners in their families, are employed, only 21 percent of the poverty Japanese female family heads are employed. This is a lower rate of employment than among all Japanese women in Los Angeles who are poor. These figures do not include those female family heads who may be elderly and hence not employed. They reflect *only* women who are family heads and who are 25–64 years old. Such a woman would be in greater need of supportive services in order for her to support herself and her dependents.

Of those Japanese women who are married, 64 percent are working. But the proportion of wives in poor families who are working is half as much (30 percent). The high percentage of married women who are working and contributing to the family income should be noted. This is a higher rate than for the population as a whole.

In other ethnic communities, particularly Pilipino, Chinese, Korean, Pacific Islanders, and Indochinese refugees, the increasing numbers of recent immigrants adds significantly to the incidence of poverty.

Recent immigration statistics indicate that women of childbearing age are the largest percentage of immigrants in the last 10 years. The increase in the incidence of poverty is due to high rates of unemployment, an increase in female-headed households, and financial responsiblities of immigrants to extended families in the U.S. and in their own native countries. The economic situation in the U.S. has made it difficult for many immigrant families to earn a decent income.

Data from the 1974 DHEW National Asian American field study further amplifies and documents the situation of low- income Asian/Pacific Americans in this country.

B. Public Assistance

Of those families and women able to obtain public assistance, another disparity is documented. The 1970 census figures reported for Chinese, Japanese, and Pilipinos indicate that each ethnic group was receiving significantly less money for public assistance than the percentage of all families in poverty. For female-headed households the disparity was even greater.

Again, using the Japanese in Los Angeles as an example, the proportion of Japanese on public assistance is in all categories far below that of other poverty populations. For example, over one-third of all poor families in Los Angeles have public assistance, but only 12 percent of poor Japanese families do. Over half of all poor female-headed families of all races receive public assistance, but only one-third of Japanese poor female-headed families are receiving such assistance. In 1970 Japanese families receiving public assistance were on the average receiving $200 less per year than other families.

Another poverty-related issue for a growing number of immigrant Asian/Pacific women is the need for public assistance during specific periods of time. These groups include women who are war brides, women married to partners of other ethnic groups, and an increasing number of divorced women who find themselves in need of public assistance while obtaining job skills, child care, or during the employment search. There is considerable variance within many States and counties as to the interpretation of noncitizens receiving public assistance. Immigration regulations require that aliens not become a "public charge" of the State. In Los Angeles County there is confusion as to whether "public charge" includes assistance for SSI, SSP, medicaid, or welfare assistance. Potential applicants may be legal residents but not citizens. There is concern that temporary public assistance might hinder their application for citizenship at some future date or affect their ability to go abroad and their return to this country.

Clearer Federal and local guidelines and their interpretations are needed with consideration given to those short term periods when assistance becomes necessary.

C. Child Care

Another concern is in the area of the working poor. Asian Pacific women contribute to family incomes in large and increasing proportions. Much of this support comes from labor at below minimum rates and in substandard conditions. The magnitude of the phenomenon is reflected in 1970 census figures. Since that time, the number and percentages have increased dramatically. As a result, child care has become a critical issue for Asian/Pacific women.

As previously discussed, the income contributed to the family is misleading. A substantial part of it must go to the cost of child care and other vital services. The lack of adequate child care facilities is appalling. An example from the Los Angeles area will serve to illustrate the point. In 1978 there were 10,000 children enrolled in Federal Head Start programs in Los Angeles. Only 185 were classified as being of "Asian/Pacific" origin. There is no Asian bilingual-bicultural Head Start program.

The HEW National Asian American field study survey conducted in 1974 showed a significantly higher percentage of households headed by single women in low-income categories than is found in the population as a whole. Thus, problems of child care are greatly increased by the condition of poverty. These figures are borne out in the more recent data from the Castellar Children's Center in Los Angeles, the major full-day program serving the Chinatown area.

The center has an enrollment of 209 children with a waiting list of 200 to 300. The program now faces the distinct possibility of a substantial reduction of its function due to the result of California's recent property tax initiative Proposition 13. According to the program staff, 76 percent of the participating families earn incomes at or below minimum wage levels with both parents working.

In response to this situation, a community-based agency has also tried to provide necessary child care services to enable women to work.

Little Friends Playgroup is a full-day, full-year bilingual-bicultural program (2–5 year olds) in Chinatown. It is the only project of the Chinatown Committee for Community Services, a nonprofit corporation. Little Friends was formed in 1973 out of a community-wide child care concern. It came in direct response to the long waiting list at the Castellar Children's Center (the only other Chinatown full-day program). Federal Head Start runs a 20-child program out of the Alpine Recreational Center, half-day, part-year only. This program is currently administered by the Training and Research Foundation in Los Angeles, which primarily serves the black community.

In Chinatown most of the families have both parents working. Due to historical discrimination and low wages, Chinatown families are unable to make ends meet on one salary. Many parents work in restaurants and garment factories, receiving below minimum wages and working long hours. In the last 10 years, the population of

Chinatown has swelled, especially with the more recent mass influx of Southeast Asian immigrant families. It is estimated there are some 1,000 children in Los Angeles Chinatown who need—but cannot find—child care. Their parents cannot afford private child care, so the children are left at home unsupervised or supervised by young minor children, brought to factories, or left to wander by themselves in the streets.

Given these historical conditions of discrimination and the current urgent need for more low-cost child care, the Los Angeles Chinatown Committee for Community Services requires that a Head Start grantee include the following [Excerpt from Cainatown Committee for Community Services]:

1. Asian Pacific Delegate Agency and More Funding and More Head Start Sites for Chinatown

We feel there should be a specific inclusion in proposals to HEW of an Asian Pacific component, preferably the creation or designation of an Asian Pacific community delegate agency. This would be for the purpose of ensuring the government begin meeting the needs of our community. In Chinatown, there are a number of vacant lots which could be converted to Head Start sites through rental of mobile units.

2. Full-Day, Full-Year Program

The full-day, full-year program best serves the needs of working people in Chinatown. Expansion monies should be allocated towards this type of program in Chinatown. How GLACAA (Greater Los Angeles Area Community Action Agency) ran Head Start in Los Angeles (only half-day, part-year programs) is not a good example for a new grantee to follow. GLACAA was not only mismanaged and corrupt (at the higher levels), but the Head Start programs it ran did not meet the needs of Chinatown and other low-income working parent communities.

3. Bilingual-Bicultural Program for Chinatown

Most of the people of Chinatown are bilingual, with English as their second language. We feel strongly that the child care programs in Chinatown be fully bilingual-bicultural, with Cantonese as the main language. This is reflected in our curriculum and we feel this should be integrated into any Chinatown Head Start program.

4. Sliding Scale

As indicated from the Castellar Children's Center figures, many parents have total family incomes above the Federal poverty guidelines but below the minimum wage guidelines. The Children's Center sliding scale fee schedule is appropriate for communities where most families have both parents working.

The Chinatown area is representative of many Asian communities nationwide, an area in which one would anticipate the best response to a specifically Asian social service need. It is not unreasonable to assume that poor Asian women further away from major centers of Asians fare less well. Without a substantial and immediate turnaround, many Asian women face the distinct possibility that they will not be able to afford to work.

These recommendations though specific to the Chinatown program are applicable to other Asian/Pacific communities. Head Start money must be earmarked to provide services to eligible Asian/Pacific families.

D. Employment

One of the significant statistics of Asian/Pacific women concerns the "working poor." The 1970 census indicated that well over half of all Asian women 16 years old or over in the U.S. were in the work force, a much higher rate than for women as a whole. In particular, in large metropolitan cities with high concentrations of Asians, e.g., San Francisco, Los Angeles, New York, the labor force participation rates are even higher. Many of these women are employed in unskilled or semiskilled employment including garment factories, canneries, and entry level clerical or service work. However, the income figures amongst Asian/Pacific women do not indicate a significantly higher amount of money earned relative to their proportion within the work force.

Some of the resulting problems are no standard fringe benefits, no jobs rights or job security, and no health insurance or emergency health services resulting from on-the-job accidents. Interviews from the DHEW National Asian American field study indicated numerous incidents of women working in factories who were unable to obtain adequate assistance for accidents, child care, and social service assistance. Even if limited benefits are available, many of the women are not informed of these, sometimes not even being told what salary they are making.

E. Health

Another related problem of lower income Asian/Pacific women is the lack of accessible federally and State-subsidized health services for eligible women including maternal health services and family planning. This is particularly important due to the increased number of Asian/Pacific women within the childbearing years (15–44 years amongst recent immigrants).

A study by T.H.E. Clinic for Women in Los Angeles documented the fact that only 10 percent of the eligible Asian/Pacific women in Los Angeles County are receiving subsidized family planning services.

The need for health education, counseling, and social services is immediate and critical. At a recent Los Angeles area high school, a young Korean student of a recent immigrant family informed the school nurse she was pregnant. After the daughter informed her family, her father, unable to cope with the problem on top of all other difficulties, committed suicide.

Young Asian women who are or will become pregnant, currently have very little access to supportive services. Non-English-speaking Asian/Pacific women who do not want to become pregnant find bilingual and bicultural health services exceedingly scarce.

Many eligible low-income Asian/Pacific women do not receive medicaid due to lack of information about benefits or fear that it might affect their potential citizenship status. Also the problem of limited acceptance of medicaid by numerous private practitioners severely limits the access of health services to lower income Asian/Pacific women.

F. Data Collection

One final problem I would like to address lies in the area of data collection and reporting. Part of the difficulty in analyzing poverty data stems from the lack of information about Asian/Pacific Americans, particularly by specific ethnic group. There has been a vicious cycle stemming from the lack of appropriate and adequate data which has resulted, in turn, in inadequate funding for Asian/Pacific communities, especially women's programs. There is a corollary unwillingness on the part of public agencies to mandate adequate data collection procedures for federally funded programs.

One recent example of this problem was the former Health Systems Agency (HSA) in Los Angeles County. A task force of Asian/Pacific Americans met for several months with HSA staff to address the needs of Asian/Pacific Americans in their countywide plan, with particular emphasis on health services for women. Several data sources were made available to them as well as specific information on health needs of Asian/Pacific Americans in Los Angeles County. When the six volume report was published, not one mention of Asian/Pacific American communities was included. All of the data had been reported as white/black and sometimes Hispanic. The health systems agencies throughout the country receive Federal dollars for their operation and should be mandated by Federal agencies to adequately respond to the needs of all ethnic groups.

Programs receiving Federal dollars should be specifically required to provide information on need, services provided, and evaluation to include Asian/Pacific Americans.

The myth of lack of poverty affecting Asian/Pacific women must be dispelled and the reality of the need for social services, health, job training, and child care must be adequately addressed by Federal officials.

In summary, the following recommendations are made to the U.S. Civil Rights Commission:

1. Bilingual-bicultural programs be expanded in social service offices providing financial and general assistance. Public agencies that distribute Federal dollars must be mandated to provide bilingual interpreters and translated materials to improve the accessibility of services to eligible Asian/Pacific residents and in particular low-income Asian/Pacific women.
2. Clearer interpretation of Federal guidelines regarding temporary aid to Asian/Pacific aliens is necessary to avoid discrepancies and discrimination by local welfare and social service agencies. Consideration should be given to provide temporary assistance to low-income Asian/Pacific women, including war brides, women obtaining job skills, seeking suitable child care, or seeking employment. This aid should not affect their ability to seek citizenship at a future date.
3. Head Start funds should be earmarked to provide full-day, full-year programs for eligible Asian/Pacific children. This should include programs with bilingual/bicultural staff.
4. The Department of Labor and other Federal agencies should develop special programs to assist Asian/Pacific women working in certain types of employment where job rights, job security, and employment benefits are not available.
5. Medical services and health education programs must be made accessible to low-income Asian/Pacific women. The Department of Health, Education, and Welfare and other health institutes should be mandated to provide necessary bilingual-bicultural services, particularly in the area of maternal and child health.
6. Federal agencies should require programs receiving Federal dollars to specifically provide information on need, services received, and program evaluation to include Asian/Pacific Americans. All statistical data reported to Federal agencies by ethnicity should include information by Asian/Pacific ethnic group and sex.

Strategies for Political Participation of Asian/Pacific Women

by Rita Fujiki Elway*

There is a widespread dearth of political participation among Asian and Pacific people. The problem is not limited to Asian and Pacific women. In fact, if the truth be known, Asian and Pacific women recently have had more opportunities to participate than Asian and Pacific men. Asian and Pacific women have had the women's movement as a vehicle to gain political skills and visibility; Asian/Pacific men have not.

With some notable exceptions, people in our communities have historically not organized or "participated" in the larger society. Many persons have pointed to cultural and language barriers to participation—it is, after all, difficult to take decisive action with limited access to information. It is difficult to be assertive and individualistic when cultural norms value collective identity over self-aggrandizement.

It should be noted, however, that linguistic and cultural norms have *not* been the major reason for a lack of political participation. These barriers have been overcome by Asian and Pacific people in the past. There is certainly no lack of awareness in the community of the need for increased political participation. Asian and Pacific people have repeatedly attempted to organize as their communities have been threatened and their rights violated. The dearth of political participation is through no fault of Asian and Pacific people.

The more invidious barriers to participation have been imposed by the larger society. Barriers to participation for Asian and Pacific people have occured as long as they have been part of U.S. jurisdictions. These barriers have taken the following forms:

1. **Barriers to Citizenship**

It was not until July 27, 1952, that Japanese were allowed the right of naturalization to American citizenship with the Walter-McCarran Act. This was almost 90 years after blacks were given the right of U.S. citizenship. Chinese were allowed the right of citizenship only 8 years before the Japanese, because they were considered allies of the United States. Filipinos were considered wards of the State at that time and had permanent visas.

2. **Barriers to Ownership of Land**

An original "qualification" for citizenship in this country was the ownership of land. While this requirement no longer obtains, it is still true that the right to land ownership is a key to full social, economic and political participation. In Washington State, an alien land law was enacted in 1889, prohibiting noncitizens from owning land. If you were an Asian not born in this country, that meant that you could never own land. Other States followed Washington's example, enacting similiar alien land laws. It was not until 1952 that the U.S. Supreme Court declared this law unconstitutional. In Washington State's past legislative session, attempts were made to reintroduce alien land legislation. Similar efforts have been made in the U.S. Congress to curb "foreign" investment. The memory of this insidious legislation is too recent for most Asian Americans.

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For Pacific Islanders the land situation is somewhat different in that they have been systematically deprived of land which once belonged to them. The effects, however, have been similar: political and economic impotency.

3. Displacement

There is strong evidence that a sense of community strengthens political efficacy. For as long as Asian and Pacific people have been associated with the United States, there have been concerted efforts to violate their communities. Anti-Chinese riots have resulted in the massacre of entire communities. In some instances entire populations of Chinese in cities were shipped in trains against their will to other States. Between 1939 and 1945 all persons of Japanese descent on the west coast were placed in inland concentration camps (not to be confused with Nazi death camps), and Executive Order 9066 which ordered the evacuation was not repealed until 1976.

Urban renewal has hit many Asian and Pacific communities, disrupting their physical and historical identities. Most recently, Asian/Pacific communities which border central business districts have been the target of active speculation and development incompatible with the identity of those communities.

4. Immigration Policy

Immigration policy in this country has favored the importation of "cheap labor" and discouraged the formation of family units. Once labor was imported to this country stringent immigration quotas were imposed limiting the immigration of fiancees, wives, sons, and daughters of laboring Asian men. Because of antimiscegenation laws, laborers had difficulty finding mates in this country. As a consequence, Asian communities have large numbers of single elderly Asian males. Particularly in the Chinese and Filipino communities, the establishment of family units has been severely impeded by immigration policies.

5. The Education System and Mass Media

The stereotype of both men and women of Asian/Pacific backgrounds has been one of passivity and service to white America. For Asian and Pacific women, the stereotype has been one of exotic femininity. For Asian and Pacific men, the stereotype has been one of docile submission and a preoccupation with the service industries. None of these sterotypes have encouraged a view of Asians as possessing political efficacy. This passive stereotype has, in fact, encouraged the notion—both in the larger society and within the Asian/Pacific community—that Asian and Pacific people are only good for certain kinds of roles in life. This stereotype has been reinforced in our educational system both in terms of occupational counseling and educational tracking. Skills necessary to achieve political participation are not encouraged. Indeed, it is assumed that Asians may be good in math and in visual arts, but are not good in verbal skills. It is assumed by the educational system unnecessary that Pacific Islanders are not much good for anything but music and labor. These assumptions, either conscious or unconscious, become the basis for decisions made about the nature of educational resources invested in the individual.

Political Efficacy: What It Takes

Forces and events have conspired to discourage the growth of political participation by Asian and Pacific people. Although many of the repressive laws which barred participation are now repealed, the long term effects of cultural and economic repression are felt to this day.

There are many people who have pointed out that many of the injustices faced by Asian and Pacific people would never have happened if they had only "spoken out" against what was happening to them. But the evidence shows that the barriers to free speech and civil rights went far beyond timidity or complacency in Asian/Pacific communities.

In recent years, participation in the political system by Asian and Pacific people has increased markedly. Something has been happening in Asian/Pacific communities. It is the purpose of this paper to identify some factors which have encouraged a higher level of political participation, and then to speak more specifically about the special role of Asian and Pacific women as participants.

1. Greater Level of Education and Awareness About Asian American History and Current Issues

The civil rights movement of the '50s and the ethnic pride movements of the 60s have had profound effects on Asian and Pacific communities. Throughout the '60s and '70s Asian and Pacific people have developed knowledge and awareness of their history—both before and after U.S. contact. Ethnic studies have considerably improved the amount and quality of information about the concerns of Asian and Pacific people. There has been a revival and an increased pride in our cultures. There has developed a widespread appreciation of the diversity of our cultures. There is an increased interest and awareness of the inequities currently being experienced by Asian and Pacific people. "Self-knowledge" has encouraged a sense of value and of mission; the mission is to work to ensure the vitality and the future of Asian and Pacific communities.

2. Affirmative Action

Although affirmative action needs for Asian and Pacific people are not even close to being met (as has been the case with all other ethnic minority groups), there have been many positive outcomes from affirmative action programs. More Asian and Pacific people have access to employment and education than before, and they have legal recourse in the face of racial and sex discrimination.

Another outcome of affirmative action programs is that they have been a coalesent issue—both within our communities and with other ethnic minority communities. Affirmative action programs have thus promoted access to political participation in two major ways: a) by making it easier for Asian and Pacific people to achieve educational and economic equity, and b) by being a vehicle to develop skills necessary to achieve political efficacy.

3. The Women's Movement

Women of color have typically taken a somewhat token role in the women's movement as a whole. The benefits of tokenism, however, should not be minimized. The presence of women of color in feminist activity has sensitized others of their particular concerns and philosophy. For Asian/Pacific women, as with other women of color, that philosophy has stressed community concerns above individualistic concerns. The women's movement has given visibility to Asian/Pacific concerns which might otherwise not be addressed: working conditions of garment workers, physical abuse of wives of U.S. servicemen, family planning options for Asian and Pacific women, etc. Within the community—women's groups have formed across the country—Asian and Pacific women have developed support groups, community education programs, political interest groups, and social service groups which emphasize their common concerns. Much of this interest in Asian and Pacific women's concerns stems from the larger movement of women in this country.

4. Assimilation

Assimilation has been a two-edged sword with regard to political efficacy for Asian and Pacific people. On the one hand, assimilation has had the effect of providing political survival skills for Asian and Pacific people—knowledge of the political system, social skills which are more congruent with the dominant majority, language skills which make it easier to communicate with large groups outside the community, etc. On the other hand, assimilation for some Asian and Pacific people has meant absorption into the larger society and a loss of ethnic identity. Fortunately, because of emphasis on the development of historical and cultural identity, this trend has been altered.

5. **"Success" Stories**

Although the participation and rising political efficacy of the Asian and Pacific communities has been slow in coming, inspiration has come from individuals and groups which have demonstrated the power of leadership and group action. In Hawaii and on the west coast, in particular, the recent years have seen vocal opposition to land ripoffs and civil rights violations. More Asian and Pacific people than ever before have sought and won elective office. Successes have inspired renewed efforts and new successes.

The Role of Asian and Pacific Women

The Asian or Pacific woman who participates in the political system is really in the vanguard. Language barriers, the traditional role of Asian and Pacific women in their cultures, the lack of knowledge about rights under law, and other factors mentioned above—all have stood in the way of political participation by Asian and Pacific women.

The absence of Asian and Pacific women in political activity was *not* because of a lack of concern or because there were no needs or constituencies to be addressed. Rather, the lack of activity was due to the absence of a vehicle to organize and articulate their concerns. The women's movement in this country helped to provide an impetus for political movement among Asian and Pacific women.

The needs have been great: Working conditions and unfair labor practices are common in the garment industry, in food processing companies, and other industries which employ Asian and Pacific women. Because many of these women fear deportation, organization has been difficult. Other immigrant women face interfamily stress because of changes in their cultural and social environment. Wives of U.S. servicemen have particular problems in this regard as they often face rejection by Asian American communities and physical and mental abuse by their spouses. If deserted, they have very few survival options. For these women "political participation" is often furthest from their minds.

For American-born Asian/Pacific women the problems are somewhat different. Yet the barriers to their political participation are still sufficient to have prevented needed organization and the development of leadership. Existing organizations within the Asian and Pacific communities have been typically dominated by males—these organizations have not been particularly responsive to the concerns of women in the community.

For those women who have persisted within existing community groups, and who have paved the way for political participation in the larger society, the benefits have been phenomenal. Asian and Pacific women have much to offer—to other women in their communities, to the Asian and Pacific communities as a whole, to the women's movement, and to the pursuit of equity in the United States.

We have found, for example, that the involvement of Asian and Pacific women in existing community groups has made those groups more accountable to a broader range of the community. The effect has been similar in other kinds of political settings. Asian and Pacific women in elective office have, for the most part, introduced more community people to the political process; they have responded to a broader range of concerns both inside and outside of the community; they have been advocates for civil rights on behalf of all ethnic minorities and women. Our Asian and Pacific women in elective office have, for the most part, been more progressive than the average politician. They have been articulate. They have been influential. They have been tough. And their numbers are far too few.

What will it take to encourage the growth of political participation among Asian and Pacific women? Some strategies have already been discussed in this paper. Efforts must be made to strengthen awareness and education about the past and present of our communities. The struggle for affirmative action and civil rights must and will be continued—in spite of some recent setbacks for Asian and Pacific people. Involvement in political movements such as the women's movement, elective politics, etc. must be encouraged both inside the community and, more importantly, by the movements themselves. Cultural, political, economic, and social survival skills must be developed without sacrificing our ethnic identity. Role models must be identified and understood to provide evidence that we can "fight city hall" and we can achieve political efficacy.

Broad scale political participation by Asian and Pacific women is not yet a reality. Neither is it a reality for Asian and Pacific men. It is crucial that this goal of participation be achieved.

Political participation is the first step toward achieving political efficacy, so that Asian and Pacific people can advocate—on their own behalf—the pressing needs of their communities.

Political participation is necessary to achieve visibility which will help to eradicate the stereotype of passivity which has plagued Asian and Pacific people. It will provide evidence that Asian and Pacific people can achieve political efficacy. It will encourage other Asian and Pacific people to participate politically.

It can only happen if we make it happen.

Asian/Pacific American Women: Legal Issues

by Diane Yen-Mei Wong*

Introduction

In preparing this paper I have attempted to work within two basic principles. First, the problems facing Asian/Pacific American women are sometimes indistinguishable from issues which affect the entire Asian/Pacific American community. Problems often stem from discriminatory attitudes and practices aimed at people of color, regardless of sex. In many instances, however, they do manifest themselves in slightly different ways against women versus men.

Second, legal issues do not exist in a vacuum. Rather, they arise out of factual situations. These situations become legal issues when Asian/Pacific Americans file a lawsuit in search of equitable treatment, or when they challenge the legality of an administrative procedure. They become legal issues when other approaches cannot elicit a satisfactory response.

With these parameters established, the discussion focuses on the following topics: (a) employment, (b) garment workers, (c) dissolutions and battered women, and (d) courts and police. These situations, while not exhaustive, do represent some of the major areas of concern to Asian/Pacific American women. They are ripe for legal action.

Employment

According to almost any measure of status in the area of employment, such as pay or rank, Asian/Pacific American women, like other women of color, fall behind white males, men of color, and white women. Yet government agencies and private businesses often point to the Asian/Pacific American statistics to show how "successfully" they have implemented affirmative action programs.

True enough, many such statistics do reflect the presence of quite a few Asian/Pacific Americans. Those statements, however, do a great disservice to all who believe them as the total truth. Conclusions such as those tend to reinforce the erroneous stereotype that all Asian/Pacific Americans have succeeded, and that, therefore, companies and agencies need not include them in affirmative action or other programs benefiting minority communities. Such seems to be the attitude of the Small Business Administration and the Ford Foundation.[1]

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A closer look at affirmative statistics reveals another story. The question here is more of underemployment than unemployment. That is, for comparable levels of education, experience, and tenure, Asian/Pacific American women and men receive less compensation, lower job rankings, and fewer promotions.

In reviewing affirmative action plans on the Governor's committee on affirmative action, I learned to review figures from both a horizontal and a vertical perspective. The former entails scrutinizing whether or not the agency employs particular protected groups. With the latter, one determines where in the company's ranks each protected group member is, either in terms of pay level or the type of work (e.g., clerical, professional, clerk typist I and II).

The vertical statistics for Asian/Pacific American women clearly demonstrate the effects of one of the most pervasive stereotypes of working Asian/Pacific American women: we all make "fine secretaries." All too often Asian/Pacific American women find themselves relegated only to clerical jobs despite their other abilities and characteristics. Promotions or changes of titles do not change the basic occupation's responsibilities. Asian/Pacific American women are perceived to be, and treated as, clerical material and clerical material only.

Given a certain number of Asian/Pacific Americans within one agency or firm, if there is a higher-than-average number of Asian/Pacific American women in the lower-paying positions, then there is a corresponding lower-than-average number of Asian/Pacific American women at the higher management levels where decisionmaking authority and higher salaries lie.

Asian/Pacific American women also face another stereotype which affects their employment possibilities: they are thought to be unaggressive.

Employers use this stereotype to justify excluding Asian/Pacific American women from occupying positions with more responsibility, decisionmaking power, and higher salaries. They argue that Asian/Pacific Americans do not have the executive qualities needed to lead. Further, the image also leads them to believe that if they do not pay the women equal wages, or do not promote them as fast or as high as others, the women will not cause any trouble anyway.[2]

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[1] The Small Business Administration is considering changes in its regulations regarding the minority set-aside program which would exclude Asian/Pacific Americans as a socially disadvantaged group. The Ford Foundation recently awarded a grant to Seattle University to recruit minorities to a particular academic program. The definition of minorities excluded Asian/Pacific Americans.

[2] These problems affect the status of all Asian/Pacific American workers, regardless of sex

Agencies and companies which review affirmative action compliance too often look only at the horizontal picture; they do not take the next step to determine if Asian/Pacific American women receive pay and classifications commensurate with their levels of education, experience, and tenure.

A college professor at the University of Washington once told his class of an incident which happened to an Asian American woman at a local bank. She and several other women had been working together for a long time. The white tellers all received raises; only two tellers did not—she and a black woman. Neither had received any dissatisfactory comments about the quality of their work so they did not understand why this had happened. The black spoke with the manager and eventually also received a raise. For a long time, the Asian American woman did not do anything. Much later, after receiving encouragement from friends, she finally also went to see the manager. He told her that he was very surprised that she would cause trouble such as this and that he had expected it of the black woman, but not of her.

He had not prepared himself to pay the Asian American woman an equal salary. Rather, he had thought he could act illegally and not be caught because she would not complain about it.

This attitude contributed much to the treatment of Asian/Pacific American women in industries which can boast a heavy concentration of Asian/Pacific American women among their employees, including canneries, garment factories, and restaurants.

Garment Workers

This topic is of special interest to me. My mother, and the mothers of many of my Asian/Pacific American friends, all work in garment factories in the Seattle area.

The garment industry is labor oriented, that is, it relies more on the presence of labor than on highly technical instruments or certain types of natural resources. It locates itself in areas where there are many people willing to sew all day at minimum wage rate.

Because of its dependence on workers, however, the industry seems to prefer workers from groups traditionally with few rights which were or could be asserted. Thus, most of the workers are women, a very high proportion of whom are women of color.

Throughout the United States the garment industry has come to be viewed as an antiworker business. The plight of women in the J.P. Stevens and Farah Companies is well documented. The situation of Asian/Pacific American women in the industry, however, has not received much attention in the past.

As far as Asian/Pacific American women are concerned, it is clearly an employer's market. Employers believe that if they lay off or otherwise lose one Asian/Pacific American woman, they can easily find another who is available and willing to replace her. For the following reasons, they are probably correct in assuming this.

Sewing is often the only traditionally marketable skill that the women bring with them from their original home countries. They also cannot speak English well. In this respect, the job becomes even more attractive to them: in the factories, the women can speak with each other in their primary language, and only occasionally do they have to interact with the English-speaking owners, supervisors, or general public. Training programs, including job-related English classes, which would teach them new skills and enable them to take on other work, are very scarce.

Thus, for the both recent immigrants and those who have been in the United States for a longer time but who have not had an opportunity to go to school, the garment industry serves as one of the major employers.

Through exploitation of this employer's market situation, the garment factories have allowed the development and maintenance of very questionable practice procedures. At a garment worker conference held in October 1977 in Seattle, about 40 women delineated many of these. Some of the major objectionable aspects include the following:

a. Supervisors and owners harassed and insulted the workers.

b. Supervisors constantly shifted workers from floor to floor and machines to machines in order to reduce the level of production in piecework factories.[3]

c. Factories had inadequate lighting and ventilation.

d. Supervisors terminated, hired, or rehired persons in a racially discriminatory manner.

e. Even though they may have worked for many years, they still earn only minimum wages.

Despite these working conditions, however, for many of the members of this group of Asian/Pacific American women, the alternative to not working at the garment factory is not working anywhere at all. Because of the low wages earned by their husbands, both spouses must work for the family to survive financially. Therefore, the latter situation is untenable for most Asian/Pacific American women.

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[3] In piecework factories, women are paid a set price per unit completed. For each hour worked, they receive either the minimum wage or the piece rate, whichever is higher. Shifting the workers, however, prevents them from increasing their speed and efficiency on any one piece or machine. This, in turn, meant they could only rarely earn more than the minimum wage.

Many factors dictate against changes in practices by the employers. First, the relevant unions have not played an assertive role in advocating on behalf of, or even just representing the interests of, Asian/Pacific American women. Union meetings are routinely conducted solely in English and requests for translations ignored. This is true even in one instance when a bilingual union member offered to translate. One major union could not provide a copy of the bargaining agreement in Chinese to a worker, and then eventually would not even give her a copy in English. All forms, rules, and regulations regarding health and insurance benefits and grievance procedures are in English only. Only one union local has made even a token attempt to ensure that the non-English-speaking workers understand the provisions of any of the documents: one year it provided a small sum to translate the bargaining agreement.

The women pay dues regularly to the union, but feel that they have not received any benefits in return. Realistically, they do not expect unions to support their grievances. Regardless of the accuracy of the feeling, the fact that they perceive it to be so says little about the unions' performance thus far.

Second, employers often intimate to discontented workers—that is, those who "cause trouble" by asking questions or making demands—will be deported. Employers hint at this consequence regardless of the woman's immigration status or her length of stay in the United States. Most Asian/Pacific American women do not know the rights under the immigration laws and thus tolerate otherwise intolerable working conditions rather than risk possible separation from their families through deportation.

Third, State and Federal agencies have not demonstrated a commitment to investigating violations of or enforcing compliance with relevant labor laws. Women who have risked their job security to file complaints have met only with frustration at the long waiting periods for any action or at the response that nothing can be done because they had not followed the proper procedures (a description of which is available only in English). Agency brochures and documents are not available in Asian/Pacific American language, nor is any effort made to ensure that such information reaches the Asian/Pacific American women in the industries.

Balancing the possible positive outcomes against the possible negative results of raising issues and making demands, the latter has been and will continue to be more persuasive.

Battered Women and Dissolutions

Contrary to the belief that all Asian/Pacific American families are stable and close-knit, dissolutions among all generations of

Asian/Pacific American women have become increasingly common. The consequences of this change in status have caused several problems. For many of the women, the problems include "only" lack of skills by which to support themselves and their children, feelings of isolation and nonsupport.

For the growing number of battered Asian/Pacific American women, however, the situation is more complex. Often there exists physical and mental abuse which necessitates an emergency termination of the relationship. In these instances, the Asian/Pacific American women—and their children—must seek out emergency medical services and emergency shelter.

In both situations, the problems of the Asian/Pacific American women appear at first glance to resemble those of their white counterparts—the displaced homemakers and abused women. However, a second look reveals differences that service providers are not adequately addressing. Most shelters and women's centers aim their services at the general white populace, and hope for the best for any nonwhite consumers. They do not employ bilingual-bicultural staff. Most are reluctant even to establish working relationships with Asian/Pacific American community agencies which can provide some culturally sensitive services. This is often the case even in areas in which there is a high incidence of Asian/Pacific American battered and displaced women, such as towns adjacent to military bases.

Asian/Pacific American women, their language and cultural values color the problems they face in these situations. The pressures of the Asian/Pacific American family and community to remain married despite the circumstances can be immense. This is especially acute for immigrant women and wives of U.S. military men. For them, the isolation and feelings of nonsupport are even greater.

To the immigrant woman who does not speak English, her entire community of significant others is often comprised only of other Asian/Pacific Americans. They all share similar values regarding dissolutions and the role of women in marriages. Any deviation requires much emotional support from other sources.

The wives of U.S. military men frequently find that their dissolution also means termination of their access to the myriad of services available on the base. They are pushed out from the relatively protective military base environment to an outside world with which they are unfamiliar. Having come to live in the U.S., they now find themselves cut off from their families. Thus, very few support systems exist for them.

Unless a shelter or center is sensitive and responsive to these values and circumstances, any services available are impractical at best, and inaccessible at worst. Though many of these centers finance their operation through Federal funding, the government has thus far made no attempt to make availability of funds contingent upon implementation of changes which would produce better services. Hence, the lack of culturally sensitive services continues.

Courts and Police

My role and experience as an attorney raise two issues under this topic. The first affects both Asian/Pacific American men and women. As far as Asian/Pacific Americans who do not speak English very well are concerned, interactions with the police and courts only very rarely approach even an *appearance* of justice and fairness. For instance, several clients reported receiving citations for accidents in which they were not at fault because they were unable to explain what had happened adequately in English. The other parties did not receive citations. Court normally did not provide interpreters for any but the major felony cases, not did most have bilingual-bicultural staff.

A second issue affects Asian/Pacific American women. It stems from the all too common stereotypes of Asian/Pacific American women: we are exotic prostitutes, and/or we are passive and submissive. The former has resulted in unwanted and unwarranted harassment of Asian/Pacific American women by the police. The latter, in a manner similar to practices in the employment field, convinces police that the women will not report any advances or mistreatment and also tends to increase their tendency to continue this type of behavior.

Both such perceptions of Asian/Pacific American women affect how an Asian/Pacific American woman "should" act when she is a witness or a defendant. In a California lower court case, a Chinese American woman reported that a police officer made sexual advances towards her after stopping her vehicle for an alleged traffic violation. The police did not feel she would report the incident. When she did, neither the police department nor the courts believed her. The prostitute stereotype interfered with any real resolution of the problem.

In a recent New York case, the court showed its bias throughout the trial. One of the defendants, an Asian American woman, had a license to carry firearms; her codefendant, a male, did not. The judge refused to believe that the firearm seized in an alleged conspiracy belonged to her. It did not fit in with his preconception of what a passive, submissive Asian American woman should or could be doing. Her codefendant was charged with illegal possession of a firearm; she with conspiracy.

Both the lack of adequately sensitive staff and the biases of the courts and police lead to a perception by Asian/Pacific Americans that the entire system breeds only injustice for Asian/Pacific Americans. Whether or not the perception is true is of naught. What is important is that Asian/Pacific Americans do not perceive that justice is meant for them.

Recommendations

Much information will be presented in all the papers and oral presentations. What is of most interest, however, and rightly so, is what steps the Commission on Civil Rights will take if it receives this information.

The following paragraphs focus on some recommendations for action based on the topics discussed above. Some are general; others are directed at specific agencies or groups.

(1) Federal agencies and departments and subcontractors should translate more of their informational brochures and make such translations available to communities. They should make an internal, institutional commitment to do this, including allocation of funds to complete the tasks. Agencies which come immediately to mind include the National Labor Relations Board, Department of Labor, Immigration and Naturalization Service, and Department of Health, Education, and Welfare.

(2) Federal agencies should hire competent bilingual-bicultural staff in areas which involve contact with a sizeable number of Asian/Pacific Americans. They should make continued funding of projects and service providers contingent on providing this type of balanced personnel.

When it is impractical to hire such staff to meet all the cultural and language needs, agencies and their subcontractors should at least contract out the translation services to groups which can meet those needs.

With either approach, as with number 1, there must be an internal commitment of resources to the attainment of this objective.

(3) The National Labor Relations Board should review the practices and procedures of the unions covering the garment industry to determine if they are actually representing all their members. If there are sizeable numbers of non-English-speaking women in the unions, the NLRB should take steps to ensure that the unions provide all necessary information, such as meetings, brochures, rules, in appropriate languages.

(4) The Departments of Labor and Health, Education, and Welfare should restructure their training programs and educational and employment services to be more responsive to the needs of Asian/Pacific American women. For instance, unless immigrant women receive training in skills other than sewing, they will not be

able to assert their rights as workers and union members without incurring the very real consequence of losing their only access to gainful employment. Restructuring should include language skills acquisition and employment training by bilingual staff.

(5) The Department of Labor should investigate the garment industry to determine the extent of violations of any labor laws, especially those dealing with minimum wage rates and occupational safety. Based on its findings the Department of Labor should aggressively enforce compliance.

(6) The Immigration and Naturalization Service should work in conjunction with these Federal and local agencies involved in employment to ensure that they are cognizant of the effect of immigration laws on employment and to compel them to review practices of employers who are allegedly threatening Asian/Pacific American women with deportation when there are no grounds for such an action.

Conclusion

Federal agencies have a responsibility to be responsive to people in a nondiscriminatory manner. Most, however, have failed to achieve this objective vis-a-vis the Asian/Pacific American community in general, and the Asian/Pacific American women in particular. Unless they change their practices, Asian/Pacific Americans will continue to view them as inaccessible and uncaring.

The Washington State Commission on Asian American Affairs in early May 1979 held a hearing on discrimination in eastern Washington. Time and time again, those who testified indicated that though *they* had filed complaints with various government agencies, such as equal employment opportunities commission or the human rights commission, they would actively discourage *other* Asian/Pacific Americans from following suit. They did not want others to be subjected to the same treatment and lack of results.

Federal agencies must change their policies to reflect a more sensitive attitude towards the needs of Asian/Pacific American women. However, changes which benefit women at the expense of the Asian/Pacific American community as a whole are unacceptable.

I personally prefer amicable resolution on issues. However, I am also amenable to using other approaches and working with groups which use other approaches, if I determine that beneficial change is not otherwise forthcoming. With factual situations which have escalated to intolerable levels more and more Asian/Pacific Americans will initiate legal action at administrative hearings and in courts challenging the validity and equity of agency practices and procedures.

Military Wives/Emerging Roles of Asian Immigrant Women

by Bok-Lim C. Kim*

Today there are an estimated 20,000 Asian women who have immigrated to the United States as wives of U.S. servicemen. These women are scattered all over the Nation and are largely invisible, both from our majority society and from Asian and Pacific American communities, because of their social isolation.

The immigration of Asian wives of American soldiers began in 1947 when the United States Congress granted immigration rights to Japanese wives of U.S. servicemen stationed in Japan. This initial wave of Japanese wives was followed by Korean wives, and later by Vietnamese and Thai women. Intermarriage and immigration of Pilipino wives of both U.S. Navy and civilian personnel have always been sizable because of the prolonged U.S. presence in the Philippines.

Attitudes towards these unions range from caution to outright hostility among the relatives and home communities of Asian women and their American husbands. The attitude of the U.S. military establishment towards these marriages can be characterized as "negative." These attitudes and behaviors of the respective parties do not usually improve over a period of time and such negative reactions often contribute to or exacerbate marital problems such as spouse abuse, desertion, separation, and divorce. For a more detailed discussion of the studies and programs dealing with these issues, and as part of my testimony, I am appending three articles that I have authored.

Without going into the many complex and interacting factors which adversely affect the marital harmony and adjustment of these women and their husbands, I will list the problems that require our attention. Later I will also list programs and measures that we can undertake to ameliorate these problems.

1. Communication

Communication within these marriages is greatly handicapped by the Asian wives' lack of proficiency in English and their unfamiliarity with lifestyles and values in American society. The situation is further aggravated by their husbands' ignorance of and failure to learn about the language and culture of their wives.

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2. Psychosocial Isolation and Alienation

The psychosocial isolation and alienation of the Asian wives are the result of social isolation and a language barrier which is often exacerbated by insensitivity or inaction on the part of their husbands and those around them who have failed to support and guide Asian wives in dealing with their new environment. The Asian wife has left her family, friends, culture, everything with which she is familiar, when she immigrated to the United States. She was part of a family and community system in which she had status and roles which provided her with self-esteem. In new and unfamiliar surroundings, handicapped by her limited English and without anyone to guide her, she is helpless. She needs a supportive and caring person to teach, guide, and assist her in acculturation. Unfortunately, among the women and families who have been referred to me for services, the husbands have failed in this task. Often the husband is not even aware that such assistance and support are needed. He expects a speedy and miraculous transformation of his wife into a competent wife and homemaker in her newly adopted land. He becomes impatient and frustrated with her helplessness and dependency, and with what appears to him to be her slowness in learning. He often becomes verbally and physically abusive toward his wife.

The couple's failure to anticipate these adjustment tasks and the temporary "role strains" generated by a wife's dependency are often key factors in marital disruption, spouse abuse, and desertion.

Psychosocial isolation and alienation, which are the consequences of the failures mentioned above, also act as further hindrances to a host of other psychosocial adjustments for the couple for their children. I need not repeat the deleterious effect of alienation on the psychological well-being and on the social functioning of individuals and society. The only difference, in the case of Asian wives, is that their isolation and suffering are hidden and unknown to the majority society. Thus, remediation is not possible. The Asian wives must become full, participating members of our society as wives, mothers, and useful citizens.

3. Unfamiliarity with the Legal Underpinnings of American Society

As the common saying goes: Eastern and Western cultures and value systems are often diametrically opposed. Nowhere is such a difference more apparent than in the area of the management of conflicts and disputes in personal, social, and commercial transactions in the two societies. Contracts and agreements are sealed in legal written documents in the West, while similar agreements are consummated verbally in the East. Harmony and compromise (based upon the moral and ethical code in the teachings of Confucius) are the ideals to which many Asian societies still aspire; resorting to court for settlement of conflicts is still frowned upon and despised in Asian culture. This explains the different mindset of Asian wives who must now deal with a different and highly complex legal system which regulates and often governs daily life in America, affecting even the most intimate marital and parent-child relationships.

Ignorance and lack of familiarity with the American legal system severely handicap the Asian wife and place her at a great disadvantage in this country. Asian wives whose husbands are still with the Armed Forces are unfamiliar with the rules and regulations that affect their lives, and, as a rule, do not know the benefits and privileges accorded to them as dependents of military personnel. The consequences of such ignorance include divorce without the woman's knowledge; loss of rights as a legal spouse; loss of child custody and financial support; in some cases, commitment to a mental hospital without knowledge or consent; threat of or actual deportation; loss of permanent residency; and loss of the opportunity to become a naturalized American citizen. I could even enumerate more of these dire and often tragic consequences of not knowing or not having a bilingual advocate who can protect these rights.

4. Solutions

I have several suggestions to make for services which could substantially ease the transition of Asian wives to life in the U.S.

1. As a minimum, there should be offered English classes on many levels, geared to the needs of these women and wives, mothers, and consumers of services.
2. Systematic data related to the location and demographic characteristics of intermarried couples composed of Asian women and American servicemen must be collected and made available to both Asian American and other, larger community social service agencies so that they can develop service programs for them. At present, the lack of this vital information prevents the development of any nationwide service program.
3. A comprehensive, multilingual resource book should be developed and distributed to every intermarried couple upon marriage and at ports of entry in the United States. The U.S. Immigration and Naturalization Service might participate in its distribution. This resource book should include information concerning legal rights and responsibilities as a spouse and parent, and as an immigrant or citizen, as well as functioning as a consumer practice guide, with information on how to use community resources in health, education, and social

services, and organizations to call in emergencies. One section should address matters related to the stress or conflict which commonly arise in family life, i.e., the role expectations of husband and wife, relationships with in-laws, how problems might be resolved, and where to seek and how to use professional help.

4. Bilingual-bicultural training and orientation classes should be made available to both husband and wife prior and subsequent to settlement in the United States. To achieve the effective communication skills essential to a successful marriage, this responsibility should be shared mutually by both partners. Orientation classes and group meetings in a community where the couple settles would facilitate the wife's transition from one culture to another and provide the couple with support in establishing their new home.

5. A nationwide hotline system is sorely needed to provide crisis intervention, referral, and followup services to widely scattered and frequently isolated Asian wives. Families of Asian women and community agencies would likewise benefit from such a service. The hotline would be staffed by a multilingual-multicultural staff of social workers or allied professionals and volunteers. An additional outcome of the program would be the development of a resource book and training manual for use by local community organization professionals in their work with this population.

6. Support must be given to the National Committee Concerned with Asian Wives of U.S. Servicemen in their task to locate resources and develop programs for those whose needs have not been met through familial and community groups.

Health Issues Affecting Asian/Pacific American Women

by Tin Myaing Thein, Ph.D.*

This paper deals with the health problems of Asian/Pacific American women, the problems they encounter in relation to health service delivery, and the representation of Asian/Pacific American women in the health industry. The information presented here is based primarily on data from published studies that have included Asian American or Asian/Pacific American women† as a subsample of the study populations. Some of the study data referred to are unpublished.

The results of a search of the literature reveal that: 1) few studies have been conducted on the health status of this population group, 2) certain illnesses and diseases are prominent among this population, although this fact is not commonly recognized, and 3) the problems of health service delivery and shortage of Asian/Pacific American women among health industry workers are related.

The literature search conducted in order to prepare this paper revealed that there has never been a nationwide study which has included a meaningful survey regarding the health problems of Asian/Pacific American women. Very few systematic empirical studies have been conducted of this population group. In some studies, the health problems of Asian/Pacific Americans are mentioned only as an afterthought.

Because of the lack of knowledge about their health status, Weaver[1] states, "No group in the American population is treated with a greater lack of understanding or is victimized by more stereotypes than the various peoples who are lumped under the label 'Asian Americans'." Asian/Pacific Americans are not a monolithic group as the term implies. They include Japanese, Filipino, Korean, Chinese, Indonesian, Vietnamese, and Burmese people to name a few groups.

In addition, the attempt to search and analyze data on Asian/Pacific American women is made more difficult because even fewer studies deal with this subgroup or breakdown their data by sex. Furthermore, other factors such as cohort differences, age differences, regional differences, socioeconomic differences in addition to distinctly separated ethnic groups, make generalizations extremely difficult. This fact must be kept in mind since many of the discussions in this paper are based on data from Chinese, Japanese, Korean, and Filipino groups only.

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† Many writers use the term Asian American to refer to populations that include people of Pacific Island heritage. In this paper, the term Asian/Pacific American is used.

[1] Jerry L. Weaver, *National Health Policy and the Underserved: Ethnic Minorities, Women, and the Elderly* (C.V. Mosby Company, 1976).

I. Illnesses and Diseases of Asian/Pacific American Women

The research reveals that certain illnesses and diseases are prominent among Asian/Pacific American women. Breast cancer is one example. Breast cancer has been noted to be a major problem for Japanese American women. Quisenberry and associates[2] conducted a study comparing the incidence of breast cancer among various ethnic groups in Hawaii. They reported that the incidence of breast cancer among Japanese women doubled between 1947–54 and 1960–62, a rate of increase higher than that for Caucasian women and women in other ethnic groups. Based on this information, they analyzed data from the tumor registry in the San Francisco Bay Area and found that there was a strong upward shift in the incidence of breast cancer for Japanese American women in the Bay area.

Another researcher, Buell,[3] examined the rates and concluded that the incidence of breast cancer in Japanese American women had probably risen and was continuing to rise throughout the United States. Dunn[4] also supports the finding that the rates of breast cancer have been increasing for the Japanese American women. Weaver[5], who examined the health problems of Asian/Pacific Americans in 1976, stated that these findings have tremendous health education implications. Yet, today, there are no known health education programs dealing with the problem of breast cancer for the Japanese American women, some of whom do not speak adequate English to understand the information presented in public health education programs.

Another health problem reported in the literature was the high rate of cardiovascular-renal disease among Filipino women. Bennett, Tokuyoma, and McBride[6] compared this group to Filipino men and Japanese men and women. The Filipino women had the highest rate of cardiovascular-renal disease. More research needs to be conducted to explore the reasons behind this finding so that health programs can use this information in their service delivery.

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[2] William B. Quisenberry and Others, "Ethnic Differences in Cancer in Hawaii," *Progress in Clinical Cancer,* 4, 1970.

[3] Phillip Buell, "Changing Incidence of Breast Cancer in Japanese-American Women," *National Cancer Institute Journal,* 51 November 1973.

[4] John E. Dunn, Jr., "Cancer Epidemiology in Populations of the United States With Emphasis on Hawaii and California and Japan," *Cancer Research* 35, November 1975, 3240–42.

[5] Weaver. Ibid.

[6] Charles Bennett, G.H. Tokuyama and T.C. McBride, "Cardiovascular Renal Mortality in Hawaii," *American Journal of Public Health 52,* September 1962, pp. 1418–31.

Domestic violence and rape are other health concerns of Asian/Pacific American women. A survey conducted for the Asian Women's Center of Los Angeles[7] showed that the fear of rape and violence was a paramount concern in the sample of women aged 15 to 25, most of whom were Japanese. The center believes that the incidence of rape and violence is higher than anyone believes because, out of shame, Asian/Pacific American women will not report such incidents.

Presently, no data exist on the extent of wife abuse or rape among Asian/Pacific American women. Sun Bin Yim[8] a Korean counselor from the Korean American Mental Health Service Center, theorizes that in the Korean community, wife abuse is the result of stress, cultural chock, and economic conditions faced by immigrant families; it is also rooted in traditional values. Traditional Korean society, according to Yim, tolerates wife abuse as a means of coping with marital conflict. The notion of a "good Korean wife" and of women as subservient, submissive, weak, and obedient prevails in the Korean American community.

Diamond *et al.* [9] studied the characteristics of patients seeking abortion in Hawaii. The majority of the population seeking abortions were Hawaiians, part-Hawaiians, Filipinos, and Chinese. Among all the ethnic groups, the Filipinos were more likely than others to seek abortion to limit family size.

Another health problem stems from occupational hazards faced by women, particularly in blue-collar employment. In 1970, 58 percent of Asian/Pacific American women who worked were in clerical positions or in the garment industry.[10] The long hours, minimal pay, poor working conditions (such as heat from the machines, poor ventilation, breathing dust, and the like) have already been documented in the garment industry. But there are no data to show the incidence of illnesses due to the textile chemicals or fatigue. Many people believe that this is because workers will not report the existence of hazards since they fear they will lose their jobs if they do. But the occupational diseases related to the garment industry are well known and, since such a high proportion of Asian/Pacific American women work in this occupation, it can be assumed that this is one of the major health problems of Asian/Pacific American women. No studies have been conducted to help plan for services or to understand this problem.

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[7] Asian Women's Center of Los Angeles (unpublished report), AGAPE Fellowship Inc. (1978).

[8] Sun Bin Yim, presentation at Asian/Pacific Women's Health Day, April 1978.

[9] Milton Diamond *et al.*, "Abortion in Hawaii," in *Family Planning Perspectives*, vol. 5, no. 1, Winter 1973, pp. 54–60.

[10] Jean Quan, "International Working Women's Day: Holding Up Half of the Sky," *Rice Paper*, vol. 3, no. 3, March 1979.

The rest of the health problems discussed in the literature are in the area of psychopathologies, most frequently characterized as depression due to alienation, isolation, and guilt.

Depression is a major problem among the elderly Asian/Pacific American women, most of whom are Japanese. Along with the other health and financial problems associated with age, isolation also contributes to mental health problems. Midori Inouye[11] of Los Angeles states that loss of family, loss of friends, loss of income, with few knowing of or using medicare or other insurance, loss of mental stimulation, loss of self-value, lack of opportunity to work, lack of companionship all lead to depression. Many Asian/Pacific American women cannot speak the English language. They cannot even communicate with their own grandchildren, since the younger generation raised in the United States now speaks English and no longer speaks Japanese. Since the older women's knowledge of English is not adequate to communicate, they do not seek institutional care. Instead, they live alone.

True[12] has analyzed data that show the trend of interracial marriage to be rising. A very high proportion of such marriages involve Japanese women. Eighty percent of Asian/Pacific American women in the Seattle area are reported to be married to men outside of their own ethnic group. The stress of interracial marriage affects a large proportion of this population. A study conducted by Weaver[13] also shows that the rate of depression is very high among Filipinos because of stress in interracial marriages. Again, few studies have focused on this population to study the effects of interracial marriage. Some predictions have been made on the outcome of such marriages. However, True cautions that these predictions are not based on findings from methodologically sound research. Nevertheless, they give an impression of the stress placed on the Asian/Pacific American woman who marries interracially. True reports that Feagan and Fujitake[14] and Jacobs and Landau[15] have found that Asian/Pacific American woman who have married interracially are treated as

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[11] Midori Inouye, presentation at Asian/Pacific Women's Health Day, April 1978.

[12] Reiko Homma-True, Ph.D., "Mental Health Issues Among Asian American Women" (paper presented at the Asian and Pacific Women's Conference, sponsored by the National Institute of Education, San Francisco, Calif., August 1976).

[13] Weaver. Ibid.

[14] Joe Feagin and N. Fujitake "On the Assimilation of Japanese-Americans," *Amerasia Journal*, vol. 1, no. 4, February 1972, pp. 13–30.

[15] Paul Jacobs and Saul Landau, *To Serve the Devil, Vol. II; Colonials and Sojourners to New York* (Vintage Books, 1971).

persona non grata by the Asian/Pacific American communities. Bok-Lim Kim[16] and Sil[17] report that the outcome of war bride marriages are "pessimistic," with multiple sources of strain. Gordon[18] supports this prediction and adds that successful adjustment of the offspring of these marriages appears to be equally negative. Disapproval of interracial marriages is very evident.

An evaluation of the Department of Labor's CETA, Title III, projects for persons of limited-English-speaking ability[19] showed that psychological counseling is very much needed by Asian/Pacific Americans, many of whom are immigrants or refugees. The counselors in these projects reported that there is a tremendous amount of depression resulting from guilt. Asian/Pacific Americans feel guilty for leaving their homelands, guilty for being in the United States while families and friends live under communist rule, guilty for being perceived as traitors to their cultural values and ethics, and depressed due to isolation and lack of the strong social networks that existed before. They also experience depression because of a diminished self-concept arising from their inability to obtain employment commensurate with their professional status. This is particularly important because Asian/Pacific American women have a high level of educational attainment, even higher than the national average for the United States. Yet, 58 percent of them work in the garment industry and in clerical positions. In fact, Sue[20] has reported that the discrepancies between educational levels and incomes are greater among Asian/Pacific American women than among any other minority group or among all Americans as a whole.

A 1970 study in Los Angeles[21] showed that the majority of Asian youth dying from drug overdose were women. It has been hypothesized that this is due to alienation and isolation. The Asian Women's Center has had 2 years' experience in providing services for the women with drug abuse problems in the Asian/Pacific American communities. The major goals of the program are: 1) prevention or reduction of drug use through public education, 2) rehabilitation through counseling, 3) provision of emotional support through community-based programs, and 4) development of a sisterhood concept.

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[16] Bok-Lim Kim, "Casework with Japanese and Korean Wives of Americans," *Social Casework*, vol. 53, 1972, pp. 273–79.

[17] Sil Kim (ed.) *Findings of National Inquiries on Asian Women of U.S. Servicemen: Post-Consultation Report*. (Tacoma, Wash., DPAA Press, April 1975).

[18] Albert Gordon, *Intermarriage: Interfaith, Interracial, Interethnic* (Boston: Beacon Press, 1964).

[19] Tin Myaing Thein and Jack Reynolds, *Case Study No. 7, Bilingual Vocational Curricula PLESA Program for Persons of Limited English-speaking Ability*, U.S. Department of Labor, 1978.

[20] Stanley Sue, "Psychological Theory and Implications for Asian Americans," *The Personnel and Guidance Journal*, March 1977.

[21] 1970 Los Angeles County Coroner's Office Report.

As a result of the 2 years' experience, it has become clear that drug abuse is defined as a symptom or ramification of greater problems faced by the Asian/Pacific American women. They face the unresolved stresses of: 1) being part of an ethnic minority within a white majority society, 2) trying to find a positive identity as a woman, given the limitations and restrictions imposed upon them both by the Asian culture and by the American culture, and 3) trying to cope with the changing realities of both racism and sexism in the general society.

Sue[22] pointed out that Asian/Pacific Americans as a group suffer from "learned helplessness," and this may have some impact on their mental health, as reported also by Seligman.[23] Various writers have commented on the "learned helplessness of Asian/Pacific Americans." Many Asian/Pacific Americans lack feelings of control over life situations and outcomes and exhibit passivity or apparent apathy or poor motivation because they believe they cannot control events. Belief in an external locus of control is common.

Sue states that Asian/Pacific Americans do not appear to have higher rates of mental illness than other groups, although their mental health may be affected by learned helplessness. Other researchers (Kitano,[24] Sue and McKinney,[25] Sue and Sue)[26] also have found the rates of mental illness among Asian/Pacific Americans to be no higher than rates for whites or other groups. Chen[27] shows that Chinese Americans also tend to be more "tolerant" toward persons with moderately disturbed symptoms and to turn to parents and relatives as major sources of assistance. This contributes to the erroneous assumption that the Asian/Pacific American is a "model" minority and that if a few psychologically dysfunctional persons do require intervention and therapy, it can be provided by their own community support system. If Jahoda's definition of mental health is used, then Asian/Pacific Americans may have poorer mental health than whites and other groups. Jahoda's[28] definition of mental health, which has been the touchstone of the mental health movement in the U.S., is "to have positive self esteem, self actualization, autonomy, and environmental mastery."

Mental health problems are not limited to specific illness and identified psychiatric disorders. They also include problems that result from societal ills such as the experience of alienation or fear and the depression and anger associated with poverty. They also include the sense of powerlessness and frustration that results from institutionalized discrimination and racism, as well as the psychological and emotional stress resulting from physical, emotional, and social disability. In addition, problems which are a result of lifestyle, value system, language, and thought processes can produce a negative effect on the mental state of the person. Problem-causing factors identified by Asian/Pacific American mental health professionals are: 1) racism, 2) underemployment and unemployment, 3) maladjustment and stress physical and cultural, and 6) psychological isolation and alienation.

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[22] Sue. Ibid.

[23] M. Seligman, *Helplessness: On Depression, Development and Death* (San Francisco: Freeman, 1975).

[24] Harry Kitano, "Mental Illness in Four Cultures," *Journal of Social Psychology*, 60, 1970, pp. 121–34.

[25] Stanley Sue and H. McKinney, "Asian Americans in the Community Mental Health Care System," *American Journal of Orthopsychiatry* 45(1) 1975, pp. 111–18.

[26] Stanley Sue and D.W. Sue, "Chinese-American Personality and Mental Health," in *Asian-Americans Psychological Perspectives*, eds. S. Sue and N. Wagner (Palo Alto: Science and Behavior Books, 1973).

[27] P. Chen, "Cultural Conflict and Mental Illness: A Case Study of a Mentally Ill Chinese-American Patient (Fresno, California State University, June 1968).

[28] M. Jahoda, *Current Concepts of Positive Mental Health* (New York: Basic Books, 1958).

The results of discrimination, sex roles, and race stereotyping have taken a toll on Asian/Pacific American women. Stereotyping of these women is one of the major factors affecting the well-being of Asian/Pacific Americans. Mass media has portrayed Asian/Pacific Americans, especially women, in negative roles—submissive, passive, docile, and devoted.

II. Service Delivery

In terms of service delivery, similar kinds of statements can be made as were made about health status. Few studies have been conducted on Asian/Pacific American women's use of public health services. But, among Asian communities, utilization rates are very low, according to the reports that are available.

Dr. Kong Mook Lee[29] of the Korean American Mental Health Service Center in Los Angeles, conducted a study among Pacific American professionals. Ninety-eight professionals were interviewed. The study showed that 42 percent of the Pacific Americans sought help from other Pacific Americans regarding their mental health needs. Over half of the professionals felt that existing services were inappropriate for their clients because of the absence of bilingual and/or bicultural personnel. Over three-fourths felt that their clients' lack of proficiency in English was, for many, an obstacle to their seeking mental health services.

In terms of hospitalization, Asian/Pacific Americans tend to be hospitalized longer and more disturbed during hospitalization than Caucasian patients. Campbell and Chang[30] believe that there are many problems for the hospitalized Chinese, including lack of ethnic food, interpreters, and numerous cultural taboos against hospitals. Even so, there are indications that the population in need of health care or hospitalization is large. Admission rates of Chinese to hospitals in California were higher than the rate for the general population.

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[29] California Advisory Committee to the U.S. Commission on Civil Rights. *A Dream Unfulfilled: Korean and Filipino Health Professionals in California* (May 1975).

[30] Teresa Campbell and Betty Chang, "Health Care of the Chinese in America," *Nursing Outlook*, May 3, 1973, pp. 245–49.

True[31] states that the utilization rate of most outpatient agencies by Asian/Pacific American women is higher than the rate for men, with the degree of difference statistically significant. The rate for inpatient service indicates the reversal of this pattern, with Asian/Pacific American men using services at a much higher rate. True compared these rates to the rates for American women in general and found a similarity in the outpatient rate; the inpatient rate among American women as a whole has been found also to be higher than the rate for men (Chesler[32] and Govet *et al.* [33]). True feels that the explanation lies in the area of stress that women face. She cites the critical factors as they appear in the data of two agencies: immigrant status, poverty level, economic status, married women between the ages of 19–45 with children, limited-English-speaking ability, and burdens of family problems.

When Asian/Pacific American women use health services for child delivery, service providers have found that few of them have had any prenatal care, a necessity for good health and a safe delivery. Christine Hsu[34] of Los Angeles hypothesizes that this may be due to cultural factors which encourage the pregnant woman to take care of herself during pregnancy. Less value is placed on women's health status than on men's because of the subordinate role played by the women. Therefore, the women tend to seek care during delivery for the sake of the child, but look after themselves during pregnancy. Canta Pian[35] states that Asian/Pacific American women use health services only in emergencies and not as a preventive measure. Miya Iwataki[36] suggests that other cultural factors act as barriers to seeking and obtaining health care. One of these is modesty. Another is having to deal with white, male physicians who are perceived as members of the higher economic class; culturally, this causes women to avoid seeing male physicians. Institutional racism is another factor. For example, many health education and information materials exist, but they have not been translated, and health providers do not understand the culture or cannot communicate with Asian/Pacific Americans.

Another factor which serves as a barrier to obtaining health care is the culture of poverty. Since a large proportion of Asian/Pacific American women grew up in the culture of poverty, many practices of this culture still prevail; for example, they will not see a doctor unless a crisis emerges because they cannot afford it. This attitude still exists today.

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[31] True. Ibid.

[32] Phyllis Chesler, *Woman or Madness* (New York, Avon Books, 1972).

[33] Walter Gove and Jeanette Tudor, "Adult Sex Roles and Mental Illness" in Joan Huber (ed.) *Changing Women in a Changing Society* (Chicago: University of Chicago Press, 1973).

[34] Christine Hsu, verbal report at Asian/Pacific Women's Health Day, April 1978.

[35] Canta Pian, "Asian Pacific American Women's Health Concerns" (presented to Women and Health Roundtable, September 1978).

[36] Miya Iwataki, presentation at Asian Pacific Women's Health Day, April 1978.

California State Senator James Mills[37] addressing the Human Care Services Conference held in San Diego in 1978, cited a study commissioned by the Lieutenant Governor of California. It indicated that 35 percent of the present State population is nonwhite, and this population will increase to more than 50 percent of the State's population by the 1990 census. It is logical to predict that the new, nonwhite majority will expect services like those obtained by whites today. Mills agreed that there is a need for multilingual services for the more recent immigrants to California, e.g., Chinese, Cambodians, and others. A United Pacific Asian Committee report[38] on service delivery stated that human care services were designed according to Western values and lifestyles, and that dietary differences and site locations for service delivery were factors leading to underutilization of health services by the Pan Asian community.

III. Asian/Pacific American Women as Health Service Providers

The health service delivery system is affected by the type of people working within the system. Professional boards have served as barriers in keeping the foreign-educated professionals from participating in the professional communities. Chin[39] found that Korean and Filipino doctors, dentists, pharmacists, and nurses are barred from licensing through a variety of means.

The problems caused by this barrier created by the licensing boards affects not only the foreign-educated professionals but also the communities that they could be serving. Without the ethnic makeup or the sex makeup of health professionals needed to relate to Asian/Pacific American patients, the health care and medical services within minority communities will continue to be underutilized because of the underemployment of these Asian/Pacific-trained professionals within the health community.

The argument that medical boards have long used to keep the foreign born from practicing their professions in the United States is that quality of service will be lowered because of the varying standards used abroad to measure foreign graduates, with the danger that licensing foreign graduates here will lead to a lower quality of health care overall. This argument does not take into account the fact that these foreign-educated professionals have much to offer in terms of experience and can relate well to people in minority communities. It does not take into account that the U.S. is currently experiencing a shortage of medically trained personnel. With the rising cost of medical education and the years of training and experience required in all countries, the foreign-educated professionals represent unused skills and an unaccountable dollar investment in education, training, and experience. The irony for Asian/Pacific Americans is that this group is, in general, not seeking care from majority-group physicians. It appears that foreign-educated health professionals are viewed as competitors by the health professions. There is a growing belief among Asian/Pacific American women that many of the arguments used to keep them out are, in fact, used to protect the vested interest of Caucasian male health professionals.

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[37] *The Pan Asian Bulletin* (UPAC, July 1978).

[38] Ibid.

[39] Laura Chin, *A Dream Unfulfilled: Korean and Filipino Health Professionals in California* (May 1975). California Advisory Committee to U.S. Commission on Civil Rights.

Recommendations that were made by the California Advisory Committee to the United States Commission on Civil Rights[40] included:

- The Advisory Committee recommends that State licensure boards review their standards to see that qualified professionals are not screened out.
- The Advisory Committee also recommends that the licensure boards endorse and actively support training programs for foreign-educated doctors, nurses, dentists, pharmacists, and others in the medically related professions.
- The Advisory Committee recommends that medical health schools which have indicated a willingness to assist in seeking solutions to the issues of education and quality medical service design programs in conjunction with foreign-educated professional associations and apply for training funds such as are now authorized under the special projects program of the Comprehensive Health Manpower Training Act.
- The Advisory Committee recommends that the State legislatures, licensing boards, and professional bodies work together to develop medical job classifications and establish guidelines and procedures which would enable foreign graduates to practice their professions on a limited basis while preparing for examinations.
- The Advisory Committee recommends that the board of pharmacy reassess its policy toward foreign-educated pharmacists.
- The Advisory Committee further recommends that the State legislature amend the Business and Professional Code so that the implementation of Section 4089.5 is not left to the discretion of the board of pharmacy.

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[40] California Advisory Committee to the U.S. Commission on Civil Rights, *Asian American and Pacific Peoples: A Case of Mistaken Identity* (February 1975).

Asian/Pacific American women are denied equal pay, equal status, and equal representation in decisionmaking positions in health and health-related fields, even though many have been adequately trained to hold these positions. In 1970 the *National Review* [41] showed that women of all races constituted only 1 percent of the dentists, 6 percent of the physicians, 12 percent of pharmacists, but 97 percent of registered nurses. Few Asian/Pacific American women are represented in these occupations except perhaps as nurses. These problems and others have been discussed at the Conference on Pacific and Asian American Families and HEW-related issues held in April 1978 in Virginia. At the conference, the health task group[42] found three critical areas of concern for Asian/Pacific American families: 1) the need to develop additional health resources to serve the presently underserved, 2) the necessity to expand the health education programs to alert the communities to the risks of hypertension and substance abuse and to provide information on ways of gaining access to the established health care delivery system, and 3) the need for research on psychological and emotional problems and possible remedies on ethnocultural diseases of specific communities or cohorts (such as hyperuremia among Filipinos and increased rates of breast cancer among all Asian/Pacific American women) and on ways of disaggregating health statistics so that a clearer picture is available of current morbidity and mortality.

The report of the President's Commission on Mental Health made similar recommendations in its subcommittee on special populations which are contained in volume III.[43] These were: 1) special mental health programs for Indochinese refugees, 2) support for a bill sponsored by Senator Daniel Inouye to create a division of minority mental health programs in NIMH, 3) support for Asian/Pacific American multidisciplinary regional mental health training centers, 4) bilingual-bicultural mental health paraprofessionals and professionals in service settings, 5) support for innovative and culturally relevant treatment techniques and community support systems to help people in need, 6) special attention to groups such as the developmentally disabled wives of American servicemen and other immigrants, 7) immediate followup on recommendations of the workshop, and 8) appointment of appropriate Asian/Pacific Americans to the board of directors of the Public Committee for Mental Health, Inc., a privately endowed public committee focusing on promoting and monitoring implementation of the report's recommendations.

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[41] Maryland Y. Penrel and Josephine E. Renshaw, "Distribution of Women Physicians, 1970," *Journal of the American Medical Women's Association*, 27 April 1972.

[42] Division of Asian American Affairs and National Institute of Education, HEW *Summary and Recommendations, Conference on Pacific and Asian American Families and HEW-Related Issues* (May 1978).

[43] *Report of the President's Commission on Mental Health: Subcommittee on Special Populations*, vol. III, 1978.

What is obviously needed is an accurate assessment of the health needs and problems of Asian/Pacific American women. They need adequate health care and education services and projects, bilingual and bicultural staff in health facilities and outreach programs, along with the promotion of the attitude that health care is a human right.

Afternoon Session, May 8, 1979

Immigration Issues

Chairman Flemming. I'll ask the consultation to come to order. The beginning of the afternoon session we're going to take a look at immigration issues. And I'm asking the Vice Chairman of the Commission, Commissioner Horn, to preside during this part of our discussion.

Commissioner Horn.

Vice Chairman Horn. Thank you.

The first speaker will discuss refugee policy and impact, and it's Mr. Pho Ba Long, who is the senior research associate of the National Indochinese Refugee Clearinghouse Center for Applied Statistics, in Arlington, Virginia.

Mr. Long?

Presentation of Pho Ba Long, Senior Research Associate, National Indochinese Refugee Clearinghouse, Center for Applied Linguistics, Arlington, Virginia

Mr. Long. Thank you, sir.

I would like to make just a small correction, I belong to the Center for Applied Linguistics.

Thank you, Mr. Chairman. I appreciate the opportunity to speak out here, since I am a refugee myself, to talk about refugee policy and impact.

I would like to very quickly outline the policies and the pronouncements of various members of Congress and the government so that we have a background of how refugee policy has impacted on our refugee population.

Now, in his proclamation of the Asian American Heritage Week released March 2, 1979, President Carter mentioned his policy to, I quote, "Welcome the newest Asian American to our shores, refugees from Indochina displaced by political and social upheavals."

Also, as early as October, 1977, when he signed the House Resolution 7769 into law, extending the Indochinese refugee assistance program, the President said:

> I doubt if any other group of refugees in my lifetime have been so devastated by war than those from Vietnam and Laos, Cambodia. This bill from the house, number 7769, acknowledges our gratitude and also our debt, also our commitment to a better life for the refugees.

This has been printed in the *Federal Register,* October 28, '77 page 1,672. And recently in a memorandum dated 28 February '79, addressed to the 12 Federal agencies involved in refugee affairs, Mr. Carter announced the nomination of Senator Dick Clark of Iowa as American Ambassador-at-Large and U.S. coordinator for refugee affairs and the establishment of a new Interagency Committee on Refugee Affairs.

In this memorandum Mr. Carter stressed:

> This administration attaches great importance to an effective refugee policies and program; I want to reaffirm my interest in having domestic and international refugee immigration policies and programs fully coordinated, so that the U.S. and other members of the international community provide prompt, equitable and effective humanitarian refugee assistance.

Such was the position of the administration.

In Congress, the introduction of the Refugee Act of 1979 is being hailed as the most comprehensive and progressive piece of legislation in this country of immigrants and refugees. Yet in his opening statement at the Senate Judiciary hearing on the same legislation on March 14, Senator Kennedy had this to say:

> For too long our policy toward refugee assistance had been *ad hoc,* with refugees being admitted in fits and starts, and after long delays and great human suffering because our existing immigration law is inadequate, discriminatory and totally out of touch with today's needs.

Adding to this, coming back to the proclamation of the Asian American Heritage Week, the President said in his proclamation: "Until recently our immigration and naturalization laws discriminated against them," meaning the Asian Americans, "They were also subjected to discrimination in housing, education and employment."

While the other members of our panel here will perhaps address the issues of civil rights on immigration status, education and health care, housing and employment, I wish to address the burning issue of family reunification for our Indochinese refugees.

It is now established that one of the reasons for the so-called "boat people" to risk their lives is perhaps the desire to be reunited with their families. Husbands with wives, children with parents, those who have been separated due to the precipitous American withdrawal and the acute flights in April 1975.

According to a report from Dr. Liu of the Asian American Mental Health Research Center in Chicago, 85 percent of the 130,000 Indochinese refugees admitted into this country in 1975 had no more than 2 hours to 2 days to leave their home and country at that time. Then, on the other hand, the separated family members who are now more or less resettled in this country begin to realize the suffering and hardship of those left behind; many are working at three jobs in order to be able to send money home, either to support their families or to buy their way out.

The result is an unsettled state of mind characterized by strains and stress, guilt and fear affecting their mental and physical well-being, seriously disrupting their training and employment activities. Regarding this state of mind, I would like to refer to a recent communication from the Philadelphia Child Guidance Center which says that this is particularly true of the Indochinese whose culture is strongly family oriented.

While it is true that current immigration policy allows high priority for refugees in Southeast Asia camps to be reunited to their close relatives in the U.S., little or nothing is being done by this administration to protect the civil rights and even the human rights of our residents by having their families reunited through official channels.

Reacting to a statement by Mr. Dale de Haan, United Nations High Commissioner for Refugees, that Vietnam has agreed to allow the Vietnamese to immigrate to join their family members who already have fled to this country, the State Department issued a notice urging all persons interested in family reunification with Indochinese relatives, I quote, "to keep in mind that under normal circumstances, U.S. law permits only certain kinds of relatives to immigrate to the U.S."

It went on the state that, again I quote, "If you are in the U.S. on refugee or parole status, you may not file a petition for your relatives. You may, however, apply for adjustment of status when you have been in the U.S. for 2 years and for citizenship after 5 years."

This notice, instead of assisting the refugees to seek regular channels, had the opposite effect of pointing to them the barriers of the law and indirectly inviting them to advise their relatives that the only way left for them was to take the boats into the open seas.

And yet, this great country had not been without the experience of greatness and generosity in the application of human rights and civil rights for the refugees to its shore.

On September 28, 1965, Fidel Castro unexpectedly announced that effective immediately Cuban citizens who desired to join their families in the United States or others who wished to live in the United States would be permitted to leave Cuba.

President Lyndon Johnson, taking the challenge in a speech delivered at the Statue of Liberty on October 3, 1965, declared that the people of Cuba who seek refuge here will find it. The following day, negotiations were begun, through the Swiss Embassy, which represents the United States Government in Cuba, with the Cuban authorities for an orderly exodus of the refugees to the United States. Consequently, a memorandum of understanding was signed between the two governments, Cuba and the United States, through the Swiss Embassy, even though normalization of relations had not taken place.

I would quickly end by stressing that it is our belief that the U.S. has a particular role of leadership in finding international solutions to the Indochinese refugee problems, and it is also our hope that the administration will accept this responsibility by carrying out forcibly the stated policy of the President and of the Congress, to protect the human rights of its residents and the civil rights of its citizens, to deal directly with the governments concerned instead of leaving it entirely in the hands of the United Nations High Commissioner for Refugees.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Our second speaker will be Enrique Delacruz, the project director of the Indochinese refugee program in the Pacific Asian Consortium in Employment.

Mr. Delacruz?

Presentation of Dr. Enrique Delacruz, Assistant Director, Pacific Asian Consortium in Employment, Los Angeles, California

DR. DELACRUZ. Thank you.

Perhaps I should mention before I proceed, that the concerns that I am going to express today do not only represent the concerns of myself and the agency I work for, the Pacific Asian Consortium in Employment, but also represent the concerns of the Asian communities in the Los Angeles areas, specifically the Asian/Pacific Planning Council of Los Angeles.

The west coast States, particularly California, have demonstrated a particular attraction for refugees displaced as a result of the turmoil in Indochina. The access to familiar foods, the high percentage of ethnic Chinese among the refugee population, and the large concentration of existing Asian communities in the area, in addition perhaps to the milder weather of the region are among the chief reasons why west coast cities now have the largest concentration of refugees.

Perhaps it is also for these reasons that the initial plan of the State Department to resettle refugees all over the country, evenly, so to speak, has quietly failed. Individuals and whole families of refugees, as they begin to get their bearings, are taking it upon themselves to resettle within and around geographic areas with large concentrations of Asian and Pacific Islanders.

As one may well imagine, the problems confronting such a population still suffering under the trauma of a 20-year war, now uprooted from their historical, social, and economical roots and virtually transferred wholesale into a country with radically difference socioeconomic systems and values, are enormous and complex.

Rather high among the list of concerns of the Asian/Pacific communities is the lack of a well-coordinated policy on refugees. I welcome the news that there is now in the process an attempt to submit before Congress and other policymaking bodies more comprehensive proposals.

However, we are very concerned for while it is now 4 years since the initial massive influx of Indochinese into American soil, the Federal Government still appears to be floundering about without a consistent and well-coordinated national policy for refugee resettlement.

This, today, is rather blatantly illustrated by the fact that current special projects for refugees, presently coordinated by the Department of Health, Education, and Welfare, are on a phasedown schedule. The allocation for special projects this year is 25 percent last year's allocation.

Yet seemingly oblivious to this, President Carter has authorized for this year, the admission of an additional 50,000 refugees from camps in Southeast Asia, bringing up the total number of Asian refugees in American soil to something like 210,000.

I also understand that the administration is considering the admission of 120,000 more for the year 1980. We cerainly support this commitment, this grand humanitarian gesture. We fully endorse this action by the President. But we would like to see some substance behind it.

The seriousness of the situation and the need for immediate action is exemplified by the fact that, although we're already nearing the end of the fiscal year, there appears to be no decision yet on the part of Congress or the administration on whether to continue funding these special projects beyond this fiscal year.

The wholesale resettlement of a people in a country whose socioeconomic systems differ radically from their origin is a long, difficult, and protracted process. In our highly technological society, overnight we can transfer a forest from Oregon to southern California, but we cannot force these trees to grow roots overnight. The same applies for the refugees. Needed are both short term programs and assistance that address the immediate survival needs, and then longer term and medium term programs that will monitor and provide assistance to the refugees in their struggle for economic self-sufficiency.

A comprehensive reception/settlement system and policy needs to be determined and refined now. The need is for an integrated and highly coordinated process for receiving, reorienting, resettling, training and job placing this highly vulnerable population.

The appointment of Ambassador Clark, again I should say, is a step in this direction, but a person alone cannot do it, and a system has to be put in place right behind it.

Currently, refugee subjects and affairs are administered from different governmental agencies. The Department of State oversees the initial reception and orientation of refugees, while the Department of HEW oversees social service delivery and special programs. It is often the case when we have two distinct administration bodies that the left hand, so to speak, does not know what the right hand is doing. So there is duplication, lack of coordination, and waste.

Another concern stems from the question of how can we best assist the refugees attain economic self-sufficiency? We feel that helping the refugees achieve economic self-sufficiency is the "lynchpin" to successful resettlement in American soil.

In the refugee communities, we already have a wealth of human resources that need to be retrained and redirected in order to be adopted to American society. Among the Indochinese we have doctors, nurses, engineers, architects, technicians, service workers, etc., whose background and experience is largely unused and wasted. Part of the problem here stems from restrictive licensing regulations and revalidation procedures that often do not recognized foreign training and background.

In some fields, for example, foreign-trained and experienced professionals are required to take a series of qualifying examinations which are often discriminatory in effect, before they can even be allowed to take the full blown licensing examination.

In California this is true of the medical professionals; this is true of architects and other professions. While we certainly recognize the responsibility of the various professional licensing boards to allow only those who are competent to practice the professions, these practices and procedures need to be reexamined and evaluated so that they do not become exclusionary and discriminatory in effect and function.

The extent of this problem is not limited to licensed occupations and professions. Certain areas of the industry suffer from exclusionary regulations, too, as part of standard policies. In Los Angeles, for example, a large employer is the aerospace industry. But practically the whole refugee population is excluded from jobs within this industry for the very simple reason that much of this industry are also defense subcontractors and they are expressly forbidden from hiring anybody other than a U.S. citizen or a permanent resident.

I believe the refugees are qualified and there is now in process where they may change this status from parolee to immigrant or permanent resident, but that process is long and protracted.

What we need is a policy statement from the Defense Department or otherwise which will allow refugees to apply and compete for those jobs in the aerospace industry that they're qualified for.

Overall, for the Indochinese, there is a need to develop retraining programs, expand training and job placement programs that enable the experienced, the skilled, and the professional among them to eventually practice and contribute via their chosen professions and skills. All this is imperative when one considers the magnitude of the socioeconomic needs that now exist amongst the Indochinese.

The capital investment in human terms that these communities have already made, which they have brought with them from Indochina, should not be wasted. Rather we should consider this now as part of the human resource that exist in our society. Let us not waste them.

VICE CHAIRMAN HORN. Thank you very much, Mr. Delacruz.

Our next participant will be Janlee Wong, director of the Indochinese Health and Education Project in San Diego, California.

Mr. Wong?

Presentation of Janlee Wong, Director, Indochinese Community Health and Education Project, San Diego, California

MR. WONG. Thank you.

I'd like to thank the Commission and the Commission staff for inviting me here today.

First of all, I'd like to say that I'm not Indochinese and I'm not a refugee, and I feel that if we had a successful resettlement program, there would be more Indochinese here speaking to you right now.

There are, as Enrique said, 200,000 or so Indochinese refugees in this country. One-third of them are in California, and there's another 250,000 in camps in Southeast Asia, all of them are awaiting resettlement. And I think the figure is about 7,000 per month are coming in to the United States and being resettled throughout the country.

The Indochinese are not one group and they don't speak a language called Indochinese; there's five distinct, separate ethnic groups or more; Vietnamese, Cambodian, Laotian, M'hong, and Chinese Vietnamese, each with their own language and their own culture.

I'm going to be concentrating mainly on mental health, and just touch upon health issues. The definition of mental health I'm going to be using is a nonclinical one; it's a social systems definition, and again, as Yen-Mei Wong says, you have to have a brief historical understanding of the situation before you can come to grips with the realization now.

During 35 or more year war in Southeast Asia the Indochinese people were involved in a great migration starting in 1954, from North Vietam to South Vietnam; over 1 million people moved to South Vietnam. And there was a great migration from the rural areas which were free fire zones to the cities. And finally, in 1975, and even up to this day, there is still a great migration of Indochinese basically from Southeast Asia to Western countries.

Asians love their homeland and Indochinese do especially—and their families. How can they come here, some people have asked; why do they come here, some people have asked? Well, I'd like to say that people don't really understand the definition between immigrant and refugee. Immigrants come here prepared to come, they're psychologically prepared, but refugees come here on the spur of the moment, as Pho Ba Long said, some had only 2 hours to come here, so you have a difference of preparation which results in unresolved guilt about leaving your family, unfinished termination of important family relationships, and that, you know, results in a lack of confidence and coping skills when they get here, because they have to leave in such a hurry they couldn't understand why they couldn't prepare beforehand, before they left.

Concepts in mental health and health. There is no such thing as mental health or psychology in Asia today. Psychology is a Western concept, based on the Western man's focus on himself and on the individual. Indochinese have a system approach where they believe they're part of the universe of the nature, they're part of a whole.

This subtle distinction lends itself to health and mental health issues in this country. For the Indochinese, there were no doctors who focused on the individual, to try to get the individual to become more self-aware, to be verbal, to express their feelings and their problems.

This concept of menth health is very Western; some people say it's Austrian, Jewish Austrian, stemming from Sigmund Freud. For the Indochinese there's either—you're either normal or your absolutely crazy. So there's no such thing as mental health; there's no distinctions in the middle.

So, in terms of health systems delivery, we have the traditional problems which I'm sure all of you have heard so much you could recite them to me: language, lack of bilingual workers, and services which are inappropriate or alien to the Indochinese, therefore making them reluctant to use these services.

They are the newest group of Asians; they are the refugees, not immigrants, and they have a great amount of need, yet they aren't being really served.

Existing minority groups are just beginning to get their services and their rights. In California, where there's a great deal of Spanish-speaking people, you're beginning to see bilingual—Spanish-English signs in hospitals and in voting polls, etc., etc.

In Chinatown in San Francisco, you see outreach preventive mental health programs with bilingual workers. So some of the minorities are getting their services. But the Indochinese, since they're new here, they haven't gotten any really, so to speak. For example, there's a hospital in San Diego, University Hospital, and they have a caseload of around 200 Indochinese. They've been serving Indochinese for 3 years now; they have yet to hire one Indochinese health worker, health professinal, and don't say there aren't any because as Pho Ba Long and Enrique said, there are a lot of qualified refugees who came from Vietnam. Another example, the public health example, is that TB is a very common disease in Indochina, and people accepted it, and sometimes it went untreated. Yet when they come here the public health service is extremely worried about the problem of communicable disease. So we didn't really have a program to followup on the TB cases in the United States in San Diego until recently, when an Indochinese social service program decided to cooperate with the public health service.

Before then, the public health service said, "Well, if they don't come to use there's nothing we can do about it."

Current services and problems. The Federal Government provides for the basic survival needs, the very basics: food, housing, employment, and training. There are no health, social resettlement or cultural programs for the Indochinese. Just recently, this year they've had some mental health projects. These projects are 1 year based, and they're just to impact the local systems. They have had no secondary level type programs at all; some refugees have been here for 3 or 4 years and they're still depending on government aid and services.

That's totally opposed to the resettlement concept which is supposed to make them independent after a few years. There are lower levels of education for the incoming new refugees, many of them come from rural areas and they have low levels of education; some are illiterate in their own language.

Money for current programs is very minimal, and as Enrique said, it's being diminished year after year. And the programs really have some—really marginal effects. The mental health projects, which I'm involved with, are supposed to impact a local system into being able to serve refugees.

Now, I ask you, how can that be done in 1 year? Now, you have a mental health system that doesn't even serve minorities, let alone refugees; how can you do that in one year? This is what the Federal Government expects.

There's an attitude which I'd like to really address, that I think a lot of Americans have, especially those in Federal Government, and Ambassador Dick Clark, whom I think is very knowledgeable, he's only been on the job 3 months, expressed this attitude yesterday at the State Department.

I asked him the question of the current refugee program having a 2-year limitation on services from date of entry, which means a refugee will no longer be eligible for federally funded or subsidized services after 2 years. I said, "How can you do that?" You have a refugee family of 10 or 11 or 12 from the mountains of Laos, and the head of household is illiterate; you have a lot of children in the family. How can you expect them to be resettled in 2 years? It will probably take them 2 years just to get adjusted and it will take them 10 years to learn English.

Ambassador Clark's response, which I'm sure all of you have heard before, was, "It's budgetary."

The second issue was there'e no mention of mental health in the refugee bill. Ambassador Clark's response to that was, we expect local systems to take care of refugees, and you and I as well as everyone here know that mental health systems, local systems haven't been taking care of minorities ever since I can remember.

I asked him a question about dispersal of refugees all over the country in places like Idaho, Wyoming, Arizona, New Mexico. He said we have no control over that. We send them where the sponsors are.

The issue with dispersal is not so much it's bad to send them all over the State, in fact, it sort of, you know, makes it easier for some States because there aren't so many in the State, but they get unfair treatment, unequal treatment in the other States, then that's what I consider a violation of their civil rights.

For instance, in Albuquerque, New Mexico, there are approximately 1,000 refugees; they do not have one federally funded program except for the mental health program which just came into being, and that's a distinct difference when you take a place like California, like San

Diego, which has about eight federally subsidized programs, so that definitely is unequal treatment.

Again, my suggestions are at least a 10-year resettlement program and federally—Government encouraging affirmative action in hiring bilingual workers. And to answer your question about how you're going to get so many different language people, I think that all public systems and private, nonprofit agencies should consider hiring Asians, not just government agencies.

And to finish, I'd like to ask you all to close your eyes and to imagine, if your country were at war, and you lost your homeland, imagine running away from shelling, boarding ships and helicopters to safety, a safety that was thousands of miles away and imagine being resettled in the mountains of Laos among the M'hong refugees. Can you imagine the stress, the anguish and guilt about leaving your home, the great task of resettlement in a jungle, and what would you do if you had no counselors, no social workers, no psychologists, and you don't even have an extended family to help you as the natives do.

Could you resettle? How long would it take you?

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Our next speaker is a winner, I note with interest, of the Arthur Flemming Award for Public Service. She came to prominence as director of the President's interagency task force on Indochinese refugees, and is now a consultant in refugee affairs to the Department of State. Ms. Julia Taft is project director of the Indochinese Refugee Resettlement Project for the New Transcentury Foundation in Washington, D.C. Ms. Taft?

Presentation of Julia Vadala Taft, Project Director, Refugee Resettlement Study, New TransCentury Foundation, Washington, D.C.

Ms. TAFT. Thank you very much.

I'm going to modify some of my prepared remarks, so we can relate to some of the very helpful discussion that has gone before. What I want to spend a few minutes on initially is the concept of the parole status which I think is one of the basic problems that refugees have in trying to effectively resettle in this country.

Refugees, as you may know, are admitted under two provisions of law, either as conditional entrants or as parolees. The conditional entrants are provided for under the seventh preference of the Immigration and Naturalization Act, and are limited in number to about 17,400 annually.

Specifically, the law states that they must be refugees who have a well-founded fear of persecution based on political, racial, or religious beliefs, who are outside their country of nationality, and are unable to return to their county of origin because of that fear of persecution.

Additionally, they must be from a communist or a communist-dominated country or from a country in the Middle East. Of the total number of CE's, as they are called, 7,200 may come from the Western Hemisphere.

There is another mechanism that is used to admit refugees which, in the case of the Indochinese, is the method that was used. The mechanism is through the parole authority which is vested in the Attorney General.

The Attorney General is allowed to admit any alien temporarily, for emergent reasons or for reasons being strictly in the public interest. There are no numerical limitations on that parole authority.

Although the intent of that provision of law was basically for handling individual cases, since 1956 it has been the principal vehicle through which the Federal Government has been able to respond to large scale movements on a humanitarian basis. Specifically, it started with the Hungarians; the Cubans came in under group parole; the Soviet refugees who are still coming; the Ugandans and the Indochinese, all have been admitted primarily through the parole authority.

Neither the conditional entry nor the parole status confers any permanent residence for the refugee, in fact, technically, the parolee, since he is admitted temporarily, is in somewhat of a legal limbo, because he is not formally admitted to the country and, thus, technically could be deported at any time.

In practice, however, virtually no parolee in the history of INS has ever been subject to the expulsion process. However, it still creates a mental health problem for many refugees who think that they have come here and they are being accepted here, yet they're not really part of the new society in this parole status.

Typically, refugees must wait 3 years before applying for permanent residency and must come under the INS numerical limitations of their country of origin. But for the Indochinese, fortunately, a special bill was passed, which was mentioned earlier, which allows for the adjustment of status without regard to numerical limitations after the refugees have been in this country for 2 years.

There is much evidence to show that the parole status has many negative effects on the refugee who is seeking to resettle in this country. There is confusion between the parole status of a refugee and what so many of us are more familiar with, the term parolee which relates to a former criminal. Many people don't understand that INS terminology, and I think it has a negative impact in the perception some uninformed people might have in relating to refugees.

Also, employers are very hesitant to hire a person without a green card which is issued to people who are admitted permanently, although, as you know, refugees are entitled and encouraged to work. In addition, several States refuse to grant in-State tuition status for refugees residing in their State who want to attend institutions of higher education, because they contend that these are not permanent residents, therefore, they are not residents of the State.

As Pho Ba Long has pointed out, there are limitations in the petitions of family reunification for people who are in a parole status. Additionally, as was pointed out earlier, certain States restrict refugees from becoming licensed in certain professions.

I am going to go through these because I think you will be struck by the large number of significant categories of professions that really are accessible in this country only to citizens on permanent resident aliens. They include accountants, architects, attorneys, barbers, chiropractors, cosmetologists, dentists, dental hygienists, embalmers, engineers, manicurists, midwives, nurses, opticians, optometrists, pharmacists, physical therapists, physicians, practical nurses, podiatrists, psychologists, teachers, and veterinarians.

Now let me stress that not all States have laws preventing all nonresidents and noncitizens from joining those occupations. However, there are enough States that do deny those occupations that is a significant impediment in terms of economic self-sufficiency of refugees who may be otherwise eligible to pursue these professions.

VICE CHAIRMAN HORN. Do you have a table that lists those?

Ms. TAFT. Yes, sir.

VICE CHAIRMAN HORN. Is that part of your prepared testimony?

Ms. TAFT. I will include it in the document. The source is from the American Civil Liberties Union study by David Carliner, in which he includes State-by-State charts indicating which States have what laws.

VICE CHAIRMAN HORN. Very good; we will include those with your remarks.

Ms. TAFT. Fine. Actually, about the ACLU, they have challenged that these laws are probably unconstitutional, but they continue to be enforced unless they are individually challenged, case by case.

Ironically, the Federal Government and most States deny governmental employment to refugees and aliens. I firmly believe that since it is a result of governmental action that brings the refugees to this country and welcomes them, that they, above all, should set an example for allowing the refugees the opportunity to compete within the civil service structure of our country.

I think it's not only a disaster to the refugees to deny them access to government jobs, but it also denies the American people from benefiting from the kinds of services that could be provided by qualified refugees in those jobs.

I would strongly support the introduction of legislation which would remove the current restrictions placed on refugees serving in the Federal Government in civilian and military capacities. It was particularly difficult back in 1975 when there were so many able military persons who came out of Southeast Asia, and we were unable to find any positions for them in the U.S. military.

I would also strongly advocate the whole termination of the parole mechanism. It just doesn't make sense. The benefits to the government are so marginal, that there is no point in having it. All the refugees who are being brought to this country are being brought by governmental acts because these people have no place else to go. The refugees want to come here, and we are admitting them as a humanitarian gesture. In fact, we plan to keep them, so why we don't enter them as permanent resident aliens is totally beyond me.

Now, fortunately, the draft legislation that has been submitted by the administration provides immediate permanent resident status for the normal flow of refugees. However, for the emergency numbers which would be over and above 50,000, the bill currently provides for their admission as conditional entrants. I don't think that will solve our problem.

However, with the exception of these real and perceived problems of the parole status, I think it really is important to underscore that refugees are entitled to almost all the other protections and privileges under the law.

There are some distinctions, obviously, between aliens and refugees from citizens, such as the right to vote and to hold elected public office and public service employment. But in spite of these, I think it is important for us to realize that, on the same basis as other citizens and other persons in this country in need, refugees are eligible for numerous categorical and programs such as supplemental security income, public assistance, medicaid, family planning, maternal child health, food assistance, workers compensation for those who are covered by workers comp. programs, student loans and educational programs, Federal housing programs.

Now, that's not an exhaustive list, it's only illustrative. I think one of the dilemmas that we get into, and we won't have time right now to talk about, is that the principle has been that we do not do more for the refugees generally than we do for our own citizens. Since our country is made up of 50 States, all of which operate differently, there are differing standards for refugees depending on what State they come into.

But one of the underlying principles is that if, in fact, you do a great deal more for refugees than you are able to do for the very needy in our own country, you will create a significant backlash which would be really unhealthy for the permanent resettlement. So it's not only a budgetary problem in more services but it's also an equity program—problem as well.

VICE CHAIRMAN HORN. Thank you very much for your helpful comments.

Now turning to the area of undocumented aliens will be David North, the director of the Center for Labor and Migration Studies of the New TransCentury Foundation in Washington, D.C.

Presentation of David North, Director, Center for Labor and Migration Studies, New TransCentury Foundation, Washington, D.C.

MR. NORTH. Thank you, Mr. Chairman.

As one who has watched the activities of the Civil Rights Commission over the last 18 years or so, it's an honor to be testifying before you. And it's an honor, and a wild coincidence, to be side by side with Julia Taft, who is also with me at the New Transcentury Foundation.

There is a substantial but unknown number of Asian and Pacific Americans whose status is not recognized by the immigration law. For convenience, we're going to call them illegal immigrants. Today we will describe how they acquired that status, what little is known about their characteristics, what their rights are, and finally, what is to become of them.

Unlike most of the groups of concern to the Commission and particularly the group that we've been talking about within the last few minutes—the refugees—and unlike most groups that the Commission focuses on, such as blacks and Native Americans and Hispanics, no one is born an illegal immigrant. All illegal immigrants are volunteers.

In a world where all nations have borders, for better or for worse, all nations utilize their power to decide who may cross those borders. Many nations, including this one, recognize the right to leave a nation, but none recognize the right of outsiders to enter their own nation. This may or may not be appropriate but it's clearly the case and it is part of reality that we have to live with.

The immigration law recognizes three classes of aliens i.e., persons born outside the United States to non-U.S. citizen parents; these classes are immigrants—permanent resident aliens; nonimmigrants—persons admitted to the nation for a finite period and for a finite purpose such as to be a student or to be a diplomat; and finally, the illegal migrants.

The third class includes people who come in without any documentation at all, and those who enter as immigrants or nonimmigrants and who subsequently drop out of legal status.

People from the Pacific and Asia in the third category are the subject today. Most of them, unlike the genuinely undocumented Mexican migrants we hear so much about, came to the country with documents, usually a nonimmigrant visa. Subsequently, they either stayed beyond the date that that document expired or they worked when they're not supposed to. This group of illegal immigrants are generally called visa abusers and there are—

VICE CHAIRMAN HORN. I'm sorry, I didn't hear you, visa what?

MR. NORTH. Visa abusers. Who are the visa abusers from Asia and the Pacific? How many are there? We don't know very much about those questions, we don't know very much about the characteristics of the illegal immigrant population generally.

We do know that there is a small segment of particularly unlucky Asia/Pacific persons, those who have been apprehended by the Immigration and Naturalization Service—INS hereafter.

It should be borne in mind that the number of persons enforcing the immigration law within the boundaries of the Nation itself is very small—less than a 1,000 agents, a smaller police force than the one that guards the buildings up on Capitol Hill. And that force is getting smaller.

The total number of such illegal immigrants from the Asia/Pacific nations that INS has apprehended has varied over the last decade from about 9,500 to 16,000. And those numbers which I've cited for you have been falling in recent years as have all interior apprehensions.

Let's talk a bit about this particular subpopulation. The population is small, 10,000 to 16,000 annually, but the individuals involved, when they become apprehended, face a setback which can range from a nuisance to a full fledged tragedy.

We know that many of those who have been apprehended first came here as students—about 30 percent. We do not have very good nation of origin statistics on them, though sizeable percentage seem to have been identified as Chinese by INS and another sizeable group came from the Philippines.

The people apprehended have been here for a while, most of them have been here for a year or longer. Overall, of course, we know that they had to have a visa and an airplane ticket and a passport to get here. They thus have gotten over several obstacles on the way to this country, and they're quite different in terms of their characteristics from the illegal entrants from Mexico, most of whom arrive on foot.

Marion Houstoun and I did a study for the Labor Department a couple of years ago in which we interviewed 793 apprehended illegal immigrants. Seventy-five were from the Eastern Hemisphere and most of them were from Asia. This group generally had a higher level of education than the other illegal immigrants; they had an average educational attainment of 12 years, which is the American norm, and they made more money than the other illegal immigrants in our study.

We would assume that that's a little tip of the iceberg, that there's a much larger population out there of never-apprehended Asia/Pacific illegal migrants, including many students and many women.

What are the rights of this group of people? Given the time frame I will talk about three clusters of the rights: rights to due process in immigration proceedings, rights in the labor market—which is my particular field, and rights to social services.

Frankly, there are probably more rights for this group of people particularly in the labor market than one might think at firsthand. I'm not going to get into the complex question of the rights in immigration proceedings.

There's some people in this town, such as Maurice Roberts and David C. Carliner that Julia mentioned and Sam Bernsen, the former General Counsel of INS, who can talk about it much more adequately than I.

It should be borne in mind that in this country, unlike Canada, anybody who is apprehended does have a right to a hearing before they are forced to leave the country, oftentimes these hearings are successful for the alien. INS always catches more people than they actually expell in the course of a year; oftentimes the delays that come along with this hearing process allow the individual to acquire permanent status in this country.

More specifically, let's talk about the labor market. The rights that the undocumented or illegal immigrants have in the labor market do not flow out of their status as an undocumented person; they flow out of their status as workers. And the government assures these rights or seeks to assure these rights not because the government is interested in that particular population, but because the government has laid certain obligations on employers.

For instance, all work in this country, with the possible exception of some elements of medicine and in the U.S. Government, is covered by the social security system. An illegal immigrant who has secured enough quarters of coverage, even though his entire presence here was illegal, can subsequently file for social security benefits, and some of them do.

Employers are required to pay the minimum wage to all workers whether they're here legally or not; employers are required to provide workers compensation to all workers whether they're here legally or not. And there are other rules that are laid down so the employers have to treat everybody in the work force equally and all of that is helpful to the illegal immigrant.

Now, the practical value of these coverages is more important for an alien that has nothing to lose by coming forward. And in many cases the alien is in a position where it makes sense for him not to complain that he's not paid the minimum wage, so what is legally provided for him is not always assured to him.

In the income transfer programs and social services, if the caseworker is aware that he or she is dealing with an illegal immigrant, the alien may not receive the benefits that he seeks. Some programs deliberately do not ask questions; some programs are very careful to ask questions. There's an enormous range in practice.

Currently, in the area of education, as presumably the Commission's General Counsel's office knows, there are a number of interesting court cases moving toward the U.S. Supreme Court, which though they relate directly to the children of Mexican illegal immigrants, will offer precedents for Asia/Pacific illegal youngsters as well.

State courts in Texas have ruled that it's okay for a board of education to require out-of-district-tuition payments by parents of illegal immigrants. A Federal court judge, John Justice, has ruled the other way. These cases will eventually get to the Supreme Court and we'll see what happens.

What will become of the illegal immigrants in our country? There are a variety of possible fates, some of them more attractive than others. They can leave the country voluntarily and either stay away or seek to come back legally or illegally.

VICE CHAIRMAN HORN. You have about 1 minute, Mr. North.

MR. NORTH. They can be deported; they can stay here in illegal status for the rest of their life, which often happens; they can go to court and in some cases they can secure legal status. Some can secure adjustment to immigrant status from INS, particularly if the proposal that the administration has suggested comes to pass, which is an amnesty program. Amnesty is legalization of persons who were here in illegal immigrant status.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Commissioner Saltzman?

Discussion

COMMISSIONER SALTZMAN. Ms. Taft, I wonder whether you could clarify for me the employment status of the refugee. Now, you said they don't get a green card, it sounds like a Catch-22.

MS. TAFT. When refugees are admitted, they are given an I–94 and there is a stamp on it that says that they may work.

COMMISSIONER SALTZMAN. They can show that to the—

MS. TAFT. That's right, that's what they show. Now, there's a problem with that because now a bill has been passed that refugees who have been in the United States for more than 2 years can go to INS and get their adjustment of status. But they have to surrender their I-94 card and must wait for the permanent resident alien card. Unless they keep a Xerox copy of something else, then they are without identification during that time. Sometimes, Mr. Long was telling me, it is 6 months to a year, so it's not a failsafe situation. However, they are entitled to work when they come in, and, in fact, are encouraged to do so.

COMMISSIONER SALTZMAN. Thank you.

VICE CHAIRMAN HORN. Chairman Flemming?

CHAIRMAN FLEMMING. Ms. Taft, I gather from listening to your testimony that you feel that if we could eliminate this parole status and, in effect, give the refugees status as legal aliens, that some of the problems that other members of the panel have identified would be cleared up as a result of taking that kind of an action. Is that correct?

MS. TAFT. Yes, sir.

CHAIRMAN FLEMMING. Not all of them—

MS. TAFT. No, definitely not all of them.

CHAIRMAN FLEMMING. But some of them?

MS. TAFT. Yes, sir.

CHAIRMAN FLEMMING. I mean that grow out of that. Now, I wasn't clear as to the legislative proposal that has been submitted to the Congress by the administration. Just what does that provide?

MS. TAFT. The legislation that has been submitted provides for a normal flow figure of 50,000 refugees annually, which, for historical purposes is the average annual admission figure since World War II.

Those 50,000 would be brought in as permanent resident aliens. In addition to those 50,000 annually, the President could allow additional refugees to come in under the normal flow figure also, who would be given permanent resident status.

Now, the problem comes—

CHAIRMAN FLEMMING. Any number on that?

MS. TAFT. No, sir, no. That has to come from the President who would submit annually his planning figure for the normal flow which is set in the bill at 50,000 but it could be adjusted upward.

Now, if during the course of the year, there is an unanticipated disaster and the President decides he wants to bring more people in, they would be brought in on an emergency basis, and they would come in as conditional entrants.

The theory behind it is that if you bring people in quickly, you don't know exactly who's gotten swept up in the evacuation or in the refugee group, and you might have inadequate time to do security clearances and all the preprocessing. Based on the experience of '75, it's very clear that security clearances can be done on a postaudit basis, and if you find somebody really shouldn't have been admitted as a permanent resident alien, you can change that person's status.

But the incidence is so small in which anybody, who has ever been identified as a concern to national security, that it just shouldn't be justified, plus there is a big bureaucratic problem in actually going through and changing the status of every refugee from parolee to permanent resident alien. It costs a lot of money and staff time.

CHAIRMAN FLEMMING. So you don't believe that that particular part of the proposal is necessary, really, drawing on your experience?

MS. TAFT. No, that's right.

CHAIRMAN FLEMMING. Thank you.

VICE CHAIRMAN HORN. Any further questions?

CHAIRMAN FLEMMING. No.

VICE CHAIRMAN HORN. Any further comments? Mr. Nunez?

STAFF DIRECTOR NUNEZ. No.

VICE CHAIRMAN HORN. If not, thank you very much, each of you. We especially appreciate those who have traveled a long way to come here and share the experience with us.

[Applause.]

If the next panel would please come forward, the panel on policy impact and strategies.

Our first panelist is Dorothy Cordova, the director of the Demonstration Project for Asian Americans in Seattle, Washington.

Ms. Cordova?

Presentation of Dorothy Cordova, Director, Demonstration Project for Asian Americans, Seattle, Washington

MS. CORDOVA. Today the United States is in the midst of the rapidly changing scene, people of different races and cultures are coming to our country in an unprecedented number, enriching this pluralistic society we call America.

In the past 10 years an estimated 10 million newcomers have arrived in our country, most of them from nations that once had little representation on these shores because Congress has removed immigration quotas that once used to discriminate against Third World countries.

"Newcomers are flocking here from impoverished regions of Asia, Latin America and the Caribbean," that isn't my quote, that was taken from the *U.S. News and World Report.*

This is mine, and this is everybody else's in here. Asian/Pacific people constitute the fastest growing population in the United States today. Allowed only token numbers of immigrants a mere 15 years ago, since 1965 Asian countries are annually surpassing in numbers the European nations that once sent hundreds of thousands or millions of their citizens to the United States.

Immigration has always been the lifeblood of the United States except for the Native Americans; every one of us in this room is either a recent immigrant or the descendant of a person who came to start a new life here.

The many changes immigration has impacted this country and has effected many changes, especially the socioeconomic levels of all the Asian Americans. These changes occurring within the past decade make it imperative for the U.S. to assess existing general and specific information about Asian/Pacific data of people, because the research data gathered in previous collections are now outdated due to the rapid increase of immigration and the subsequent surfacing of brand new problems.

According to the U.S. Commission on Civil Rights, which I presume is you, the racial and ethnic data are essential tools with which to combat discrimination and to plan and monitor affirmative action which would remedy past racial wrongs.

Old Federal, State, and local governments used to categorize ethnic minorities rather strangely, either as white, black, and others. So for many, many years I was an "other."

Then they changed categories to include other groups, Spanish surnamed, Oriental, Native Americans, and others; once again I was an "other," because as a Filipino I have Spanish surname but I'm not really in that category and neither am I Oriental—because Filipinos are not Oriental.

So, subsequently, a number of us who were not in any of these categories started to raise a big cry, and we demanded that we be classified as separate entities.

Now the classifications include white, black, Asian, Spanish speaking, Native American, Pacific Islanders, and others. Again there is another category, others.

The Asian group encompasses Japanese, Chinese, Filipino, Korean, Vietnamese, Cambodian, Laotian, Thais, and East Indian.

Although some Asians have a tendency to exclude the latter which are the East Indians, as a rule I generally include them, which is a matter of justice and personal preference. For most of us in this room today the Asian group also includes the Pacific Island people, Samoans, Guamanians, Hawaiians, and Tongans.

There is a logic for putting us all together; together we constitute a larger group of people. And while this marriage may not be completely satisfactory to all of us, nonetheless it's the best possible union at this present time. It is imperative, however, to identify each Asian/Pacific group separately, and to recognize that each one of us have unique problems not only a different language and a culture. And that the magnitude of our problems will be different in various parts of the country.

For example, two separate reports and studies on ethnic minorities in California and the State of Washington during the '60s demonstrated that the socioeconomic levels for Japanese, Chinese, and Filipinos in the two States at that time, were this way: the Japanese and Chinese often rank above the whites in educational attainment and were second and third in income, while the Filipinos were usually at the bottom or near the bottom in both categories.

More recent studies indicate that, although these Asian groups have experienced great demographic changes because of recent immigration, the disparity among the Asian groups has basically remained the same in most of the socioeconomic categories.

The Japanese right now are the largest Asian American group, but they have the lowest immigration rate among the Asians. The Chinese in 1970 were the second largest group, and since that time over 180,000 immigrants have come from Taiwan and Hong Kong. During the past census count the Filipinos were third numerically. A study by Canta Pian on the socioeconomic characteristics of Asian Americans stated that, if the immigration figures for the '70s for Japanese, Chinese, and Filipinos continued at the same existing rate, by the 1980s Filipinos would become the most populous Asian group in the United States.

Since 1970 over 260,000 Filipinos have immigrated to the United States. And I must add here that if, according to many of the school districts the Filipinos are one of the most prolific, if not the most prolific group. Well, maybe there's some others who will differ with me. The Koreans are fourth in number right now, but they are the fastest growing of the Asian groups, and they are the most overlooked ethnic minority in this country. Their increase since 1970 is 300 percent over and above what it was in 1970.

During the past 12 years, 145,000 plus people came from India; approximately 45 percent of the adults were professional, technical, or kindred workers. Guamanians and Samoans constitute another demographic problem because since they are basically part of the United States and can come and go, it's hard to categorize them or keep track of their numbers. But they're here—many, many thousands of them, and they range from 100,000 down, depending on who you're talking to.

The Indochinese have come here and made the most dramatic and traumatic entry into our country. There are well over 250,000 and from what we hear, many, many thousands more will be coming every year.

Within the past 10 years the number of immigrants and/or nationals from Asian/Pacific countries has increased. And since these people are younger people, many of them, their numbers will naturally increase even more through the births that will occur.

Prior to 1965, the laws were restrictive but after October 3, 1965, which was the time that the laws were changed, up to 20,000 immigrants a year were allowed from Eastern Hemisphere countries. Since that time, there has been an increase of 532 percent from Asia compared to 39 percent from Latin America, 53 percent from the south and eastern Europe, and a 73 percent decrease from western Europe and Canada.

During the first half of the century, Asians made up only 4 percent of the U.S. total immigration; during 1978 they constituted one-third of the total number entering as permanent residents. The importance of this immigration is realized when one considers that at a time when the U.S. birth rate is declining, there is a tremendous increase in immigration, especially from Asia, and these are people of childbearing age who do not have zero population as their goal.

According to the *U.S. News and World Report*, one new American in five is now an immigrant and one out of three of these is an Asian. Laws have been introduced in Congress and there has been a Supreme Court decision, the *Lau v. Nichols* case; there has been a judgment by the Office for Civil Rights against certain school districts, all because of the rights of immigrant children.

The upsurge of immigration from Asian countries has caused population increase, but it also has altered the socioeconomic circumstances of Asians in the country. One of the most dramatic ones has been the increase of Asian women to men in all the Asian groups. This is caused by the predominance of Asian females entering the United States as permanent residents—over 60 percent.

These are not only professional women. They also include war brides or the new wives of men who had been here for 40 or 50 years and who had presently, within the past 10 years, gone back to the old country to bring back young wives. What I'm saying to you right now is we have the phenomena, especially in the Filipino community, where you have men in their sixties, possibly seventies, who have wives who are maybe 20, 30, 40, 50 years younger than them, and I don't have to explain to you, they produce children, and when they've—we are going to have problems from this. We're having problems right now.

Where they're living is another change, too. The great majority of the immigrants are still settling on the west coast but we're seeing now another pattern—they're going all over, especially the Koreans. We were tracking the Koreans down through the immigration figures, and we found out that they're everywhere. There isn't a State they're not in.

In fact, in some States there are more Koreans than any other Asian group and I think people have to start paying attention to them.

Most of the recent immigrants settling on the east coast are usually educated people. In New York and Boston, you have large concentrations of Chinese immigrants, because you already had an established Chinese community.

Professionals make up a large percentage of all people coming from Asian countries, especially Indian and the Philippines. And why do they come here? Many of the people came here to give their children the opportunities they never had, such as free education, open job opportunities, and the democratic way of life. Some others came to flee political unrest in their own country. All left behind family, friends, and familiar ways of life.

Okay, just on education I'll just skim through this. Right now there are more foreign-born than American-born Chinese males who have had 15 years or more of education. But on the other hand, U.S.-born Chinese females had more education than the Chinese immigrant women.

Among Filipinos, the Filipino women with 4 or more years of college is twice that of the Filipino male but this is due to the fact that a large portion of the male, the Filipino male population is still part of the old group that came 50, 60 years ago.

Interestingly enough, in areas with few recent immigrant women, Filipino immigrant women, the educational level of the Filipinos is much lower.

What I'd like to do is talk about the children since nobody's talked about kids before and I'm just going to go through this. The children are the ones who have suffered basically. They've been uprooted and there are many of them who are led to believe that they are second-class citizens, but this has always been our case.

A recommendation I'd like to make right now is that I realize what you were saying about hiring people, because you said that it's impossible. This will be my recommendation.

I would like to suggest sensitivity training for non-Asian existing staff everywhere. I think this is mandatory. If you cannot hire new Asian workers, then I think that people should be made aware of the culture, the history, and the cultural differences of Asians.

VICE CHAIRMAN HORN. Very good. Thank you very much.

Our next panelist is Tuan Nguyen, the associate director of program evaluation for the District V Mental Health Center in San Francisco. He has directed that project since 1976, and he was a former chairman of the Indochinese Mental Health Project in San Francisco.

Presentation of Dr. Tuan Nguyen, Associate Director of Program Evaluation, District V Mental Health Center, San Francisco, California

DR. NGUYEN. Thank you, and I really appreciate the opportunity to come here, however short a time it is, and express some of my views.

There is a debate within myself between being redundant and not being redundant and it's very difficult to strike a balance, so I'm going to be both redundant and innovative.

I basically will start with a review of the current status of immigrants as a consequence or after their act of entering the United States. I'll then read some recommendations and then go back to some of those and give the rationale for some of them.

The history of Asian Americans in this country is fraught with blatant, often official discrimination, prejudices and injustices. Asian Americans, no less than other minority groups in this country, have suffered from injustices that leave wounds in their psyches and impair their social and economic progresses. My written testimony will give some examples, and Ms. Elway's testimony this morning addressed them fairly to the point.

The latest and most disturbing example of official discrimination is the exclusion of Asian Americans from among the groups defined as socially and economically disadvantaged. This exclusion was built into the implementation of P.L. 95-507 by the Small Business Administration this very year.

When one examines the social and economic status of Asian Americans, it is blatantly obvious that de facto they have fared no better than second or third class citizens. Despite their industriousness, they lag far behind others in reaping the benefits of their labor.

In San Francisco, for example, it is estimated that the unemployment rate is about 4.5 percent for persons of Chinese descent. This rate is much lower than the national, California, or even San Francisco rates of unemployment. Yet 24 percent of the Chinese population have incomes below the poverty level.

In 1970 the U.S. Census Bureau projected that 14.8 percent of all Filipino families and 9.2 percent of all Japanese families in San Francisco have incomes under the poverty level. If you look at incomes of unrelated Asian Americans, the percentage is even greater:

27 percent of the Japanese, 26.5 percent of the Chinese, and 32 percent of Filipinos will have incomes below the poverty level.

Let's look at the latest Asian group entering this country, the Vietnamese who came in 1975. By 1977, 66.5 percent of them are in the labor force and 94.5 percent of those in the labor force are employed. By contrast, the labor force participation of all Americans is 62.2 percent, by 4 percentage points lower, and the unemployment rate for the general American work force is 93.1 percent at that time. But does the industriousness of the refugees pay off? Apparently not. Since only slightly half of the refugee families, that is, 51.4 percent, earn incomes of $800 or more per month for an average family size of 6.5. This was documented by the HEW refugees task force.

Furthermore, 60 percent of the refugees who had been white-collar workers in Vietnam, because of different exclusion regulations that have been mentioned in the earlier panel, are now in blue-collar jobs, indicating that the rate of underemployment is high. And this type of underemployment is generalizable to practically all other immigrant groups.

The immigrants not only suffer from those kinds of conditions, they also suffer from other social, health, and psychological problems that arise because of language barriers, cultural barriers, and the process of migration and relocation itself. There is a vast literature supporting the statement I just made.

Let me go now into the recommendations. The first recommendation is that a central immigrant referral center, possibly national, with a toll-free number, be set up for all immigrants to call for help in any matter. This center should be staffed by competent bilingual persons who could screen the nature of the problems or need for help and make appropriate referrals to certain agencies in the city where the immigrant resides.

This toll-free number, under arrangement with the INS, is to be provided to all incoming immigrants at the port of entry. A short pamphlet accompanying the number printed in their native language of the immigrant should explain the purpose of the toll-free number.

In this manner, at least, there is a place for refugees and immigrants to turn to when the first crisis comes and for them to get the appropriate referral.

Second recommendation: that special service centers in areas of legal aid, housing, employment, vocational training, health, mental health, family services, and education be set up in major ports of entries. These centers are to be staffed by competent bicultural and bilingual staff to the extent possible within budgetary constraints, and maybe even stretching those constraints a little bit in order to provide sensitive, appropriate, and accessible services to immigrants. These services should be coordinated with the central referring center that I suggested in recommendation one.

Recommendation three: that mandates and funds for special Asian immigrant and refugees services be designed and implemented on a long range basis rather than the customary crisis management basis.

I call this type of management the knee jerk operation or the squeaky wheel operation. The cost of knee jerk operation is very high. Most of the refugees programs, as an example, spend only 6 months out of the 1 year operating normally. The other 6 months are spent in either gearing down the program, pacifying the anxieties of recipients and staff, or fighting the bureaucracy.

Recommendation number four, and this is within the province, I think, of the U.S. Commission on Civil Rights: that the Commission establish a watchdog committee to screen, review, and monitor current and proposed legislation affecting Asian Americans, immigrants and refugees, as well as the implementation of these legislations, and also to communicate findings and elicit input and reactions from the people affected.

The reason for this recommendation is that past legislations have openly discriminated against Asian Americans, against the Chinese in 1886, against the Japanese, and so on and so forth. Without a watchdog committee, with the depression coming up, we are going to be likely to be the whipping boy again for the bad economic condition.

Let me go on with a recommendation concerning the Indochinese refugees which will have effect also on other Asian immigrants: that special legislation be enacted to grant the Indochinese refugees their citizenship after the lawful residence requirements, and that special programs be implemented to expedite the process of naturalization of the Indochinese permanent residents.

Now, I'm asking this not just because I'm a Vietnamese and I'm speaking for Indochinese alone. This is also for the sake of other Asians.

PL 95-145 allowed these refugees to adjust their status to that of permanent resident and recognized, for purposes of computing the 5 years residence requirement for citizenship, that the time a refugee has already spent in the United States on or after March 31, 1975, be counted. To date, there are already 130,000 refugees who are adjusted. That means that next year, and in 1981, they will be all eligible to petition for citizenship status.

Now, there have been projections that in order to process those petitions, it's going to take until the turn of the century. The way the process goes on right now, at INS is every case is reviewed by an officer and then all the cases are lumped together and presented in front of the circuit judge for swearing in.

What it will mean is that the Indochinese will be denied their due rights to participatory democracy even though they have fulfilled the residence requirement. Furthermore, the large majority of Indochinese has now settled or will settle on the western seaboard, where the majority of Asian immigrants also live. Any slowdown in immigration and naturalization processing at the INS in that part of the country will mean the further denial of Asian immigrants their rights to participatory democracy. You can see that very clearly.

Other recommendations are in my written testimony, if you allow me I will—

VICE CHAIRMAN HORN. That will be included in the hearing.

DR. NGUYEN. And my other recommendation is really already put forward very forcefully and cogently by Ms. Julia Taft, and I fully second that.

VICE CHAIRMAN HORN. Well, thank you. You've made some excellent and very helpful recommendations. I'm particularly intrigued by your toll-free number proposal. I thought of that myself as I listened to a lot of witnesses this morning, and I'm delighted you have laid it out so well on the record.

DR. NGUYEN. That was tried out with the refugees task force in collaboration with the American Bar Association, and it worked out very, very well. They were able to help a lot of refugees, but it was only in legal matters. What I'm proposing is a general phone number so that the refugee doesn't have to sort out in his head and know what category of concern he's talking about.

VICE CHAIRMAN HORN. That's right, excellent idea.

DR. NGUYEN. Because he's not, you know, familiar with the categorical service system in this country.

VICE CHAIRMAN HORN. Now speaking on the policy issues, we're delighted to have with us again as our guest, a gentleman who has had experience in Asia, spent 3 years with the Peace Corps in the Philippines, and now the Commissioner of the United States Immigration and Naturalization Service, the Honorable Leonel Castillo.

Presentation of the Honorable Leonel Castillo, Commissioner, U.S. Immigration and Naturalization Service

COMMISSIONER CASTILLO. Thank you, sir.

I would like to submit for the record, a set of statistics that I will leave here and then—

VICE CHAIRMAN HORN. It will be included at this point in the record.

COMMISSIONER CASTILLO. There are only a few points I'd like to make. First, that the pattern of immigration to the United States has changed dramatically. Secondly, that there have been some changes made within INS to meet these changing patterns. And then thirdly, that there are some policy issues that must be faced.

First about the patterns that have changed. In recent years, many people have noted that the Statue of Liberty could be possibly facing the wrong direction; that, in fact, the immigrants now are Asian and Latin, and not European. In 1978 Japanese tourists outnumbered those from Great Britain, and are most likely to do so again in 1979.

Currently, the largest group of immigrants are coming from Mexico, the Philippines, and Korea in that order. But outside of that normal flow, if you look at the refugee patterns, you will find that larger numbers of Indochinese entered the United States legally than Mexicans. This is point of some contention within the Mexican American community.

We also note that we're now beginning to see a dramatic increase in the number of Chinese coming, not only as immigrants but also as nonimmigrants. My point is simply that there has been a dramatic change, both in direction and also in terms of numbers.

We are experiencing something that has not occurred in 50 years. Last year we had more immigrants to the United States than we had had in any year since 1924. We are witnessing one of the largest influxes of immigrants to this country in our history. Unfortunately, most of the present interest in immigration centers around the undocumenteds.

Now, what has INS done? Admittedly, as is true in many governmental institutions, first an event occurs and then there is action or reaction to it. When I first came in office, we had an Hispanic advisory committee that I helped set up and was a member of. We have since expanded this to a Federal advisory committee to include other ethnic groups. Our current chairperson is Mr. Norman Lau Kee.

Because of the large increase in immigration from the Asian nations, the INS now has offices in Hong Kong; Bangkok, Thailand; Seoul, Korea; Manila, Philippines; and Tokyo, Japan. I have visited many of these offices.

We have already had some very, very preliminary discussions about the possibility of opening an office in Peking [Beijing] at some future data since it is expected that the number of immigrants from China or from persons who speak Chinese languages, to be more precise, will probably double the number of persons coming legally from Mexico as immigrants by either 1979 or 1980 unless the law is changed.

In terms of addressing and developing policy issues, not only are we getting a new group of immigrants from other parts of the world, but they are no longer settling in the Northeast or the so-called "Frost Belt." Because many of these new immigrants tend to go to the Sun Belt, there are relatively large Asian communities adjoining minority populations in this area, and, as a result, creating a very different geographic pattern.

This year, for the first time in the history of the immigration service, the number of employees in our southwestern offices exceeded the number of employees in the northeastern part of the United States. The western region and the southern region are now larger than the northeastern region, although historically that had always been reversed.

We need to do a lot more to move services to the Sun Belt or to these areas where people are settling. This may be very difficult because there are many political factors that must be taken into consideration.

We still have very strong political support for the continuation and even expansion of offices in the northeast. Unfortunately, the immigrants and the people in the southwest do not have nearly the political power as do the more settled immigrant groups.

We have some backlogs that have been building and building for periods in excess of 5 years before families can be reunited. The backlog in the Philippines is, for example, of 250,000 cases. At 20,000 a year it will be a very long time before those people can come, practically speaking.

We're looking at very large backlogs in Hong Kong and at a backlog that will clearly develop out of Peking [Beijing] or the People's Republic of China. In these cases, new legislation will be necessary.

We are also finding that these new immigrants have somewhat better education, many of them are already professionals. One of their major problems has been with receiving accreditation in U.S. institutions. It has gotten to the point where a number of our medical institutions, just to name one particular profession, depend very much upon the availability of non-U.S. citizens or foreign medical graduates.

We constantly get calls from depressed areas of the United States, both urban and rural, where hospital administrators want very much to keep the foreign national; they do not have U.S. citizen doctors or medical personnel.

In some institutions as many as 25 percent of the medical personnel are foreign born or foreign medical graduates. There are more foreign medical graduates in the U.S. than there are black medical graduates.

I fear that if we don't deal with this we're going to end up with a large group of undocumented persons in limbo in our medical institutions and in other professional areas.

I also wanted to point, as a matter of policy concern, to the area—

Vice Chairman Horn. Excuse me, on those foreign medical graduates, just to clarify the record, that would exclude those

Americans who are at institutions such as Guadalajara from that last statement you made or would that include Guadalajara graduates who are American citizens coming back to the United States?

COMMISSIONER CASTILLO. It's graduates of foreign medical institutions—

VICE CHAIRMAN HORN. So that would include Americans who go to Mexico for training?

COMMISSIONER CASTILLO. It should, I believe, because they have the same level of training.

There are some hospitals in ghettos that probably would not operate if it were not for the foreign medical graduates available, and certainly in places like Appalachia and rural parts of Texas.

Let me come to another policy issue—I have only one more that I wanted to bring to your attention—and that is the same one that just brought up in the area of naturalization.

Historically, the two groups that have naturalized the slowest have been the Mexicans and Chinese. Both groups have averaged more than 30 years residence in the U.S. before they became U.S. citizens. This is changing, but it's changing slowly due to a number of reasons. I'm sure there are a lot of people here who are more expert that I who can speak about that. However, it is expected that this will not be true with Indochinese.

There is one simple change that will give us a tremendous capacity and be cost effective. We would recommend your support as well as the support of other persons in eliminating the requirement that there be witnesses to attest to someone's good character when they apply for citizenship. Under the current law, you must bring two witnesses to attest to your good character. Well, I believe in the last 50 years maybe two people have brought people who came and said that this individual was of bad character.

VICE CHAIRMAN HORN. Good judgment is what that proved, I suspect.

COMMISSIONER CASTILLO. We have found that the test or the interview is useless. It just shows that someone has two friends. We recommend that the requirement for two character witnesses be eliminated. It has been suggested that regular police checks would be sufficient. That, in itself, would increase our capacity to naturalize by 30 percent without hiring any people and without spending any additional money.

We are trying to get through to the Congress those three points—dealing with backlogs, legislation for the professionals who are sought and are coming in, and changes in the naturalization law. These would provide the INS with a great forward impetus.

I also support, not as a matter of policy, but as a matter of practice, the idea of the toll-free number and would be happy to cooperate with HEW and any other agencies in jointly staffing and funding such a system.

VICE CHAIRMAN HORN. Those are very helpful comments.

Commissioner, I wonder, can you stay until the next two panelists conclude? It would take 20 minutes and then could you respond to questions?

COMMISSIONER CASTILLO. Sure.

VICE CHAIRMAN HORN. Very well.

Our next panelist is Dr. Shirley Hune, an assistant professor of sociology/anthropology, University of the District of Columbia, here in Washington, D.C. We are delighted to have you with us.

Presentation of Dr. Shirley Hune, Assistant Professor, Sociology, University of the District of Columbia, Washington, D.C.

DR. HUNE. Thank you.

In the limited time alloted and in recognition of the contribution that other speakers are making at this meeting on contemporary concerns, I've narrowed my presentation to discussion of two factors that I believe are influential in the formulation of United States immigration policy as it has affected Asian Americans, and I will be merely discussing them here in historical framework.

The factors I'll address are: one, racism in U.S. immigration policy, and secondly, foreign policy as an aspect of U.S. immigration policy.

Now, these factors are too often neglected or ignored in any discussion of the development of American immigration policy. Yet they have had a great impact on the lives of Asian Americans, and a consideration of these two factors are essential for an understanding of the present status of Asian/Pacific Americans today.

And while some of what I have prepared has already been commented on in earlier discussions, I think it's still important to highlight them once more.

It's interesting that the subtopic of this meeting is myths and realities. Oscar Handlin wrote in the introduction of his Pulitzer Prize winning work, *The Uprooted,* the following: "Once I thought to write a history of the immigrants in America. Then I discovered that the immigrants were American history." And while this is unquestionably true, much of what has been written to date about the immigrant experience in America remains more mythology than history and the same can be said about U.S. immigration policy.

In spite of the current debate over undocumented workers, school textbooks, newspaper editorials, and popular literature still continue to extoll the myth of an open door, where America threw its golden door to the tired, the poor, and the huddled masses of the world yearning to breathe free.

In reality, there have been guardians at the door and the guardians have always been selective. Immigration has been preferential on the basis of family stock, race, labor skill, and/or educational background. At best the attitude of Americans towards immigration has been one of ambivalence; at worst it has been racist and exclusionary and, unfortunately, Asian Americans have been the victims of the worst aspects of U.S. immigration policy.

I'm just going to highlight some of the key aspects of this just for illustration to remind us of the past history of the American immigration policy towards Asians. The first victims of immigration discrimination were the Chinese, who were also the first major group of Asians to migrate to the United States.

There has been an historic policy of Chinese exclusion in America, begun first with the famous Chinese Exclusion Act of 1882, a bill that was originally to limit the number of Chinese laborers to the United States for 10 years. However, most of us do not remember that this particular legislation was renewed time and time again—and not fully lifted until the Immigration Act of 1965. There were, however, some modification in 1943, when a quota of 105 were given to the Chinese.

At the same time, legislation was also broadened to apply this particular legislation to categories of even the wives of Chinese laborers. This policy of Chinese exclusion, in particular, is viewed by Asian Americans as not only a policy of racism and discrimination in the entry of Chinese to the United States, but a policy of genocide.

For the policy prevented Chinese wives from joining their husbands in America, and in conjunction with State regulations against the intermarriage of Chinese with Caucasians, denied to Chinese males in American such human rights as the right to form families in America.

Thus, the glowing remarks—Americans often make about the tradition of the Chinese family—are very painful for Chinese Americans and especially the thousands of Chinese males who grew up in this country never knowing children or grandchildren that could have been, and for the Chinese women and children who were left alone in Asia.

The opposition to the Chinese was extended to other groups and I'll just briefly highlight because most of you are probably familiar with the Gentlemen's Agreement in 1908, which was negotiated with the U.S. Government and the Japanese Government to limit the number of Japanese to the United States. In 1917 the policy of Asian restriction was extended even further with the introduction of the barred zone, a geographical triangle in the Pacific region extending from India, Southeast Asia, Indonesia, Thailand, through to Afghanistan. After 1917 Asians in this region were barred from admission to the United States. Japanese were excluded in 1924 while Filipino Americans were given a quota in 1934, at the time of independence, a quota of 50.

This period of Asian exclusion or restriction to a small quota of 150 was carried out in the same period, in which we have about 35 to 40 million Europeans entering the United States and when quotas were introduced in the 1920s European annual quotas were in the thousands. So the U.S. policy of immigration restriction and exclusion was limited in this very early period primarily to Asians.

Furthermore, in addition to limiting the number of Asian migrants, the U.S. immigration policy was very discriminatory on the basis of right to citizenship. It is not known to many people that the Chinese were not granted the right to citizenship through naturalization until 1943, the Filipinos in 1946, and, in general, this bias and barrier was eliminated in 1952 for all groups.

The immigration act of 1965 has eliminated quotas based on race and national origin has finally ended Asian restriction. It has facilitated family reunification. As a consequence of this we find new trends in the migration of Asians to the United States today. However, the act does not eliminate opposition to Asian immigration as we can well remember the mixed response to the arrival of Indochinese refugees from Vietnam today, and especially in 1975 with the baby lift. The reluctance of Federal and safety officials to receive them and the popular statements alluding to the hordes of Asians coming in, are reminders of the response to Asians coming in the 19th century.

The second fact I wish to to touch upon is the interrelation of U.S. foreign policy and immigration policy. Most of us think of immigration policy as a domestic policy, i.e., a reflection of internal political, social, economic needs and interests. But, in reality, like all other domestic policies, immigration is also influenced by international relations and interests.

The history of the United States has been intertwined with Asians since the first American trading ship, the Empress of China, sailed for Canton in 1784. And while Americans have looked across to the Atlantic to Europe for their cultural roots, they have also looked westward across the Pacific where they feel their manifest destiny, their historic mission and future as a major power has laid.

The fact is that American foreign policy in Asia has had an impact on their treatment of Asians in America. More often they have been victims of state to state regulations rather than beneficiaries, and I think just a couple of examples to illustrate are needed.

The most obvious one, of course, is the recent situation of the refugees from Indochina. Their presence here is largely because of the direct result of America's war in Indochina, the war's violent disruption of their homeland, the promises made to them for their cooperation, but there are other examples which I won't go into for shortage of time.

But there are examples of earlier periods of negotiations, of treaties between the United States and China, which also had a detrimental impact on the treatment of Asians, Chinese, Japanese, and Filipinos in the United States. One, perhaps, an interesting illustration, is that scholars have noted that the lifting of the Chinese exclusion act moderately in 1943 was largely not because of a consideration of the Chinese condition in the United States; it was because it was necessary to seek the support of Chiang Kai-shek during the Second World War. So, in fact, international relations had a direct impact on the treatment of the Chinese in the United States. Thus, power politics between states affects not only Asians but other groups. For example, see also the current debate between Mexico and the United States on undocumented Mexican American workers. Power politics between states has an impact on domestic policy and the treatment of Asians in America.

In summary, why have I spent some time on this historic understanding? I'm trying to point out that any understanding of the contemporary situation of Asians in America would be limited without some attention to the policy of immigration towards Asians in the past.

There is a continual reference to the small number of Asians in the United States as compared to other minority groups. This small number is used to justify the lack of government attention to issues concerning Asian/Pacific Americans, or to explain away the lack of Federal programs to such Asian/Pacific Americans; this is thoroughly unjustified.

The population is smaller; it is small at this present time, although we know with continuing immigration it will increase much faster. But it is smaller historically than any other groups because of the decades in which the numbers were deliberately kept small through policies of immigration exclusion and restriction and policies of genocide which prevented the increase of the population through natural birth.

There are also suggestions that Asian Americans are not interested in participating in the system. This is also unjustified without an understanding of the Asian American experience. Allusions are made to Asian Americans being non-Christian, uncomfortable with the democratic process, that they mind their own business and take care of their own or that they just aren't interested in politics. It must be noted that Asian Americans have been deliberately kept out of the political system for decades, and relegated to second-class citizenship through the denial of the right to citizenship through naturalization in this democratic society.

Without the vote there is little political clout, as our black Americans have demonstrated and have tried so hard to gain. But without citizenship there is no access to the vote. So community leaders, State leaders, national leaders even in areas of large concentrations of Asian populations historically were able to ignore Asian Americans because Asian Americans had no vote to deliver.

However, this has begun to change as politics in Hawaii and California attest and a greater number of Asian American voters make their appearance.

We can expect that officials can no longer continue to ignore the Asian American presence, however, it still remains for the system to be responsive to the concerns of Asian/Pacific Americans, but as blacks, Hispanics, and women have learned, this is still yet to be achieved.

Nor can we fully understand the Asian/Pacific American status today without recognizing this role that U.S. foreign policy and international interests have played on their policy towards Asians and Pacific Islanders within the United States, because many Americans do not separate Asian Americans from Asians in Asia.

By our physical appearance our loyalty is in question. The same is not asked of Irish Americans, Norwegian Americans, or German Americans. And, unfortunately, for most Americans their knowledge and contact with Asia and Asians has been through war, the Korean War, World War II, the Cold War against China, Vietnam War, and the first war in the Philippines.

The most blatant, of course, is the history of the concentration camps of Americans, over 110,000 Americans who happened to be of Japanese descent who were the victims of power politics, and the consequences of that, of course, was the internment policy.

The only thing I wanted to point out is strategies for the present and the future are, of course, to address all policies of racism and discrimination. Support for affirmative action is a beginning towards redressing past discrimination. There's also a need to recognize that, while we will continue to see the interrelationship of foreign policy and domestic policy, there is a need to recognize that there should not be a detrimental effect on the lives of Americans who happen to be of Asian and Pacific Island descent in terms of state to state relations.

VICE CHAIRMAN HORN. Thank you very much for your statement.

Our last panelist before the Commissioners begin their questioning is Mr. Bill Hing.

Welcome.

Presentation of Bill Ong Hing, Immigration Attorney, San Francisco Neighborhood Legal Services

MR. HING. Thank you for the invitation.

The Commission has heard testimony several times today summarizing the shameful history of the United States discriminatory immigration laws and policies directed at Asians. The exclusionary laws, the prison-like screening of tens of thousands of Chinese and Koreans on Angel Island between 1910 and 1940, the internment of Japanese Americans during World War II, the prohibition against naturalization for Chinese, Filipinos, and Japanese, and the additional exclusion of Asian women are not only painful for our parents, grandparents, aunts, and uncles to recall, but leaves one with a feeling of bitterness at the thought of the senseless torment and agony borne upon them.

However, the basis for bitterness does not terminate where historical considerations end. Today I have submitted to the Commission an overview of current discriminatory immigration policies of the Immigration and Naturalization Service, the Justice Department, and the Congress which continue to prey solely upon Asians who seek to immigrate or who have immigrated. Permit me to briefly summarize a few of these policies.

A situation which has developed only recently serves as an excellent example of present INS policy which discriminates solely against Asians and Pacific persons as a matter of discretion.

Late last summer, immigration inspectors in Honolulu began a systematic interrogation of elderly Asians who were lawful permanent residents of the United States, commonly referred to as "green card" holders. They were returning from visits abroad which generally did not exceed more than 30 days. The interrogation in Honolulu went far beyond the customary questioning as to purpose and length of stay but rather focused on whether or not such Asians were or had been recipients of Supplemental Security Income. SSI, a subsistence program for elderly and disabled poor, is made available both to citizens and lawful permanent residents.

If SSI had been previously received by elderly Asians, immigration inspectors took possession of the alien's green card and passport, and instructed the person to report for further inspection and interrogation in their district of residence, such as Los Angeles, San Diego, New York, or San Francisco.

After subsequent inspection, these elderly Filipinos, Chinese, Koreans, and Japanese, have been informed that they were excludable from the United States because they were public charges, and they were given three alternatives at their deferred inspection, either one, go back to their native country; two, request an exclusion hearing, or three, terminate SSI benefits which they had a right to and post a public charge bond of several thousand dollars.

Note that the INS is dealing here with returning lawful permanent residents, not with first-time immigrants and not with undocumented aliens. The supposed authority for INS to reimpose these public charge grounds for exclusion each and every time and alien reenters the United States stems from a concept termed the reentry doctrine.

However, the reentry doctrine has traditionally been used to exclude returning criminals, subversives, and other undesirables, and has not been used under modern immigration laws, until recently, to exclude returning lawful resident aliens who have been receiving public assistance. It's merely a matter of policy on the part of INS, instituted recently, which has brought about this result.

In the more than 100 cases reported, there has been no question that the person had a right to apply for SSI benefits, and there have been no allegations of fraud. It's equally clear, and this is very interesting, that if these persons had not proceeded abroad, they could not have been deported under present immigration laws. But because they left the country, and incidentally, under SSI regulations they are permitted to leave for 30 days, they have unknowingly walked into this trap of the reentry doctrine, a trap which never previously was set for lawful permanent residents receiving public assistance.

As noted above, this procedure marks a sharp change from previous immigration policy throughout the country. This simply has not ever been done before, and even today, is not happening in other parts of the country. Because most lawful permanent resident Asian travelers return through Honolulu, the impact of the new policy has fallen squarely on elderly Asians and Pacific persons only.

The action has caused great alarm in Asian communities throughout the United States. And the action is outrageous when viewed as another extension of the infamous exclusion laws of the past directed at Asians.

The racial lines have been clearly and sharply defined by the port at which this policy is being effected. This blatant attack on elderly Asians and Pacific persons must be terminated immediately.

Turning to another area, there has always been a general lack of sensitivity among INS employees towards the cultures, social, and religious traditions of Asians and Pacific persons. In recent years Filipino immigrants and nonimmigrants have been the most poorly treated group of persons at the local San Francisco office of immigration.

The general demeaning attitude of immigration investigators, examiners, and clerical staff exhibited towards Filipinos and Filipinas has been the most troubling aspect of practice for most practitioners in the field of immigration law.

There is a clear lack of sensitivity towards persons from the Philippines in the minds of most investigators and examiners. As a group, natives of the Philippines are distrusted and interrogated more intensively by immigration inspectors at the airport; in visa cases involving marriages where one party is from the Philippines, the parties are subjected to exhaustive questioning by examiners far beyond the ludicrous standards of examinations conducted in most marriage cases. Often as a matter of discretion, in the visa and citizenship cases, further investigation is requested of the United States consul in Manila, a move which independently creates an additional 6-month delay in processing time. As a general rule, the validity of Filipino documents are questioned, and even further, in deportation proceedings, further independent corroborative evidence is often required where none would have been had a native of a different country been involved in the case.

The baseless intensity with which particular individual investigators pursue Filipinos has blinded most of them. One investigator in San Francisco, who thrives on getting Filipinos, has been nicknamed "Mr. Filipino" by his cohorts.

Chinese Americans are continuing to face bureaucratic hurdles in their attempts to be reunified with family members abroad. Due to an historical lack of birth and marital records in mainland China, Chinese in the United States today who seek to be reunited with family members experience considerable difficulties in petitions for relatives.

For most non-Chinese the process is simple. If the relative abroad is one who falls into a preference category, a petition is filed at the Immigration Service with evidence of the relationship, for example, birth certificates, marriage certificates, or family registers.

The processing time varies from district to district, however, an interview is required in only the most unusual cases for non-Chinese cases. In contrast, when a Chinese person files such a petition a long list of secondary evidence of the relationship must be submitted to INS to support the petition or else the petition will be returned.

Additionally, the requirements of interviews for Chinese cases is a rule, and all Chinese cases are delayed, therefore, for anywhere from 6 to 18 months.

At this time I'd like to make some recommendations and I pointed out others in my paper. My first recommendation is with respect to hiring of bilingual examiners and investigators by the Immigration Service. It's appalling that in a cosmopolitan district such as San Francisco, for example, there are no examiners or investigators who speak Japanese, Tagalog, Ilocano, Vietnamese, Samoan, or Tongan, and there is only one investigator who speaks any dialect of Chinese and it's limited Cantonese.

The present procedure at INS for interviewing a non-English-speaking Asian or Pacific person is to have a clerical or outside interpreter brought in for purposes of translation. This means that INS is paying two persons, the examiner or investigator and the interpreter for conducting a single interview.

It's amazing that by this time in our history that neither through attrition nor affirmative action have there been any fluent bilingual persons promoted or appointed to these positions. Instead, the system appears to have perpetuated a discrimination in immigration against Asians and Pacific persons, as evidenced by the fact that persons of such extraction employed by INS have not reached any levels of examiners or investigators.

Secondly, the Immigration Service must extend itself and open itself to the public to actually provide a service, as its name expresses. Although the Central Office of the Immigration Service has attempted to get involved in community affairs, the local people fail to get involved in community affairs. If its problems is with enthusiasm of local personnel, my suggestion is to remove them.

And finally, again, I would reiterate what the Commissioner was saying with respect to expansion of numerical limitations. Although on its face it looks like Asians are on equal par with respect to numerical limitations, we must redress the past discriminations against Asians by expanding the present numerical limitations that are so heavily strangling Chinese and Filipinos.

Thank you very much.

Discussion

VICE CHAIRMAN HORN. Thank you.

Commissioner, I think it's only fair that you have an opportunity to respond, particularly to the SSI situation in Honolulu and any other comments you'd like to make in terms of staffing in the San Francisco office, so forth.

COMMISSIONER CASTILLO. Well, let me begin with the SSI problem. Under the immigration law a person may not be admitted to the United States for permanent residence if it appears that that person will become a public charge. What happens when someone who is already a public charge leaves? Is their return a new entry or is it a reentry? That's the nub of the question.

The one case that has gone for resolution thus far was decided in a fashion that held that the alien was excludable, and that the case is now working its way up through the appeal process.

Meanwhile, what we have attempted is to find some humane way to interpret these regulations. The only answer that my General Counsel's office has been able to come up with as recently as a few days ago, May 4 to be precise, was that the regulation under which we implement the SSI question could be viewed in the way Social Security looks at it; my General Counsel informed me a few days ago that in their opinion, a trip abroad or a trip away of 30 days or less is not considered a meaningful interruption of your time in the States. A directive of that sort would resolve most of the cases but not all of them.

It would resolve, I believe, although we are not sure of the numbers, about 90 percent of the cases if we used the 30-day social security regulation. My legal staff is presently working on an appropriate directive.

The problem has primarily surfaced and occurred in Honolulu, Los Angeles, San Francisco, and a week or so ago we had one in Ohio.

VICE CHAIRMAN HORN. I think just for the clarification of the record we should include at this point the relevant portion of the statutes plus the appropriate regulations, plus any memoranda from the General Counsel that might be issued before this hearing or consultation is published, then we would round out the picture if you don't mind.

COMMISSIONER CASTILLO. Yes.

VICE CHAIRMAN HORN. Would you like to comment on the staffing situation in the San Francisco office?

COMMISSIONER CASTILLO. Yes. Well, I am not intimately familiar with the details of the staffing at San Francisco. Although we have some Asian American employees, there are obviously some weaknesses in specific areas of that office in terms of having adequate representation in our work force.

The first step that I've taken has been to change the requirement that everyone at our training program learn Spanish. In one incident we had a woman who was going to be flunked out of her course at our Federal training center because she was not doing very well in Spanish. She was, however, fluent in Japanese and was going to work in either Honolulu or Guam where many persons she would meet would speak Japanese.

We changed that directive so that Spanish is no longer required for those types of jobs in certain geographic areas. We then commissioned a study which has as its aim the creation of criteria for jobs in our offices in the United States and abroad with specific language requirements. For example, if you are going to be in the San Francisco office, to name one specific office, there should be a certain number of positions available that would be filled by individuals who are competent in the most used languages or needed languages in that office.

We are also moving towards selective criteria, and have had to do that very cautiously because of concerns within our union that their members would be locked out of jobs, and other employees who feel that they have some equity. We have been moving along and anticipate that the study will be completed and implemented shortly. Clearly, that's been a problem.

As to the problems with Filipinos and investigations there, one of the very major and real question is why we have an inordinate amount of fraud in Filipino cases. We do have a large number of false documents or fraudulent claims in comparison to other groups. It's not an ethnic or national thing, it's just a reality; we have a large number of—larger number of fraudulent claims from that group than from other groups.

VICE CHAIRMAN HORN. Is that perhaps due to the quotas involved and the intense pressure?

COMMISSIONER CASTILLO. Because of the tremendous demand in the Philippines, the people line up early in the morning in front of the embassy. There are even people who make a living by agreeing to stand in line for other people for the sum of 80 pesos a night.

VICE CHAIRMAN HORN. What type of cooperation have we gotten from the Philippine Government in terms of arresting those that are encouraging the fraud and manufacturing the false documents within the Philippines? Have we got relations established with the government to have a joint effort to do something about that?

COMMISSIONER CASTILLO. We have had numerous meetings with their government officials, and to some extent they view it in the way the Mexicans view the question of persons coming from Mexico. It's not a problem with them how someone comes into the United States, but rather how they leave the Philippines. While they cooperate on major smuggling cases or misrepresentation cases, the issue of what happens once they get here is a violation of our laws and not their laws.

Also, there is a safety valve factor that is implicit in that society.

VICE CHAIRMAN HORN. Commissioner Freeman?

COMMISSIONER FREEMAN. Commissioner, earlier in the afternoon there was a statement that part of the problem with respect to the immigrant was the requirement to surrender the card, I believe it's called card number 94, and that unless the individual took steps on his or her behalf to get the card Xeroxed, they were without qualifying papers.

I would like to ask you if you will comment on that, and if this is true, if—indicate the extent to which your Service could give some assistance when the card is asked, requested, or surrendered.

Commissioner Castillo. We have a very serious problem with this documentation. And as to us taking away a card and depriving someone of any documentation whatsoever, I hope that is a rare case.

But in those instances where it does happen, we do have regulations that enable persons to have temporary documentation or temporary certification. In the specific instances where it happens we can deal with it there.

I don't believe it is that widespread.

Commissioner Freeman. In the case where it does occur, are you stating that the employee who takes such a—takes a card under those circumstances, has violated the rules of the service?

Commissioner Castillo. No. In some instances, where we can show that an individual is not properly here or that there is some other defect, it is legal for an employee of the Service to void a card. This is a constant problem on the southern border.

Commissioner Freeman. And are you saying that it has not happened with respect to the Asian/Pacific Americans?

Commissioner Castillo. No, I'm not saying that; I'm sure it has happened, but what I'm not certain of is how frequently and how serious the question is.

Commissioner Freeman. Are there regulations, a manual, procedures that are disseminated to all employees of the Service regularly to inform them of their responsibilities in this regard?

Commissioner Castillo. Oh, yes, we have a complete set of regulations on replacing, voiding, and issuing cards.

Commissioner Freeman. Well, I got the impression when—earlier that it was a very—that it is a very serious problem, meaning that it has happened more than once or twice. And is there any way that you can—your office can pursue this?

Commissioner Castillo. What I'd like to do is to obtain the testimony or the comments of whoever it is that presented it and then investigate it.

Commissioner Freeman. Mr. Chairman, I would like to ask that the Commissioner be—that a copy of the transcript on this point be made available to the Commissioner, and that his response be inserted in the record at this point.

Vice Chairman Horn. Without objection, that will be done.

Commissioner Freeman. I have no further questions.

Vice Chairman Horn. Chairman Flemming?

Chairman Flemming. Commissioner Castillo, earlier testimony also brought out the fact that some of the problems that the refugees confront grow out of the fact that they have the parole status. I'm wondering what your feeling is relative to that issue?

Commissioner Castillo. It is true; a parolee is not technically an immigrant in the same way that someone coming for the first time and going through our system is. As a result, a parolee doesn't get all the benefits of a permanent resident alien. Some of the problems arises from the very use of the term parolee. We have had some questions from some employers who argue that they're not sure that this person isn't "wanted" or isn't somehow a criminal because the term parolee to them means someone on parole—from a criminal system. Under immigration law it simply means someone who came through a special provision of the immigration act, not bound by the 20,000 per year per country limitation.

This misunderstanding was also a very serious problem with the very first large group of Indochinese.

It is a problem of lesser magnitude but still an important one. The Indochinese—to the best we know, are nearly all working. They have convinced their employers that they are legitimately here and most of them are now adjusting their status and have green cards. The group that will continue to come here will be an ongoing question as to just what their status is for a while.

Chairman Flemming. This earlier testimony also indicated that the administration had submitted or was about to submit legislation to the Congress designed to change that picture to some degree, not completely but to some degree.

Commissioner Castillo. A new refugee bill has been introduced and is being discussed and debated in the Senate and House. We are very hopeful that it will pass and that there will be only minor differences between the administration and members of the Judiciary Committee on this.

So I think there will be new legislation that will increase the number of persons that can come as political refugees, and it will change the definition of political refugee.

Chairman Flemming. All right. Thank you very much.

Vice Chairman Horn. Commissioner Saltzman?

Commissioner Saltzman. Commissioner Castillo, I wonder whether you could tell us about the functions of the advisory committees. I guess they are composed of various ethnic groups, geographic areas. How many advisory committees do you have? How do they report to you?

Commissioner Castillo. Yes. Well, as I indicated, we began with one Hispanic advisory committee and then partly because of representation of some of the people you have heard from, and also because it was a good idea, we changed that from the Hispanic to the Federal advisory committee. Although this national advisory board meets formally several times a year, some members are in the office much more regularly than others who are farther away or who have other major responsibilities.

COMMISSIONER SALTZMAN. Are you with them?

COMMISSIONER CASTILLO. Oh, yes. They provide me hundreds of recommendations.

COMMISSIONER SALTZMAN. How many people?

COMMISSIONER CASTILLO. Twenty-three. Since we can go up to 25, there are two vacancies now. Although the majority of the representation on the advisory group is still Latin, there are also Italian, Greek, Korean, Chinese, and Filipino. And all of them have dash American as well. One of the recommendations that the group made was that while their recommendations were helpful on a national level, something should be done on a local level, such as Mr. Hing has suggested. As a result, we have begun a process of creating community advisory groups on local district offices. Six of these are now in operation with varying degrees of success. They meet on a monthly basis with the district director and include, again, ethnic representation from labor, business, and other groups that are interested. They provide recommendations to the district director.

The program has been only partially successful because we've learned that in order for advisory groups to be successful they need a little staffing, as well as a lot of nurturing.

COMMISSIONER SALTZMAN. We've found that too.

COMMISSIONER CASTILLO. When I was a member of the U.S. Commission Advisory Committee in Texas, we had the same problem, even our local community. Since it has been ideally successful, very helpful, we want to expand it further.

COMMISSIONER SALTZMAN. Does the INS have a statement of policy with respect to the status of Samoans and Guamanians?

COMMISSIONER CASTILLO. We do have a number of interpretations relating to both groups.

COMMISSIONER SALTZMAN. Their status was raised earlier. I wonder whether we could enter into the record the official policy statements relative to their status, if you have those?

COMMISSIONER CASTILLO. Sure. I don't have those with me. But—

VICE CHAIRMAN HORN. Without objection they will be inserted in the record at this point.

COMMISSIONER SALTZMAN. Thank you.

VICE CHAIRMAN HORN. Mr. Nunez?

MR. NUNEZ. Good afternoon, Commissioner.

There have been allegations by members of the Asian American community of the United States that even the 1965 act that considerably liberalized immigration status still discriminate against Asian Americans. Would you agree with that, and would you get behind steps to change that legislation? I'm aware that your regulations and policies are governed by the legislation passed by the Congress.

COMMISSIONER CASTILLO. As I indicated earlier, and as the professor said more directly, the new immigrant groups do not have political power. As a result, Asian Americans clearly do not have this political power.

Immigration laws reflect the political opinion of the Congress, the White House, and the society at large.

At one time we had a large backlog for Italians as we now have with Filipinos and people in Hong Kong. I expect the answer will be seen in the political arena. The fact that this first group was able to develop and gain substantial political power resulted in legislation being maneuvered through Congress. Since those elements involved in immigration historically have come from the east coast, the chairmanship and the positions on the Immigration Subcommittee in the House of Representatives have been historically from the east coast. Further, the concerns and interest of this constituency has been well supported, nurtured, and protected.

There has only recently been some membership on the Immigration Subcommittee of persons from the west coast and the southwest. I suppose I'm saying is, yes, that the laws do reflect the political orientation of the country, and the orientation was towards Europe.

VICE CHAIRMAN HORN. Thank you very much, we appreciate each of you coming here to share your views and your very helpful recommendations with us. And Commissioner, we thank you for joining with us again.

[Applause.]

The Issue of Family Reunification Facing Indochinese Refugees in the U.S.

by Pho Ba Long*

At this time in the brief history of the Indochinese in America, there is no more pressing issue than the problem of reunification. The United States has already admitted nearly 200,000 Indochinese. The next logical step is to help locate and free their close relatives who remain in Indochina under the new regimes, many languishing in so-called "reeducation camps." I wish to argue that there are moral and legal principles to support such a step.

Firstly, let me point out that the Immigration and Naturalization Act of 1965 forcefully reversed a longstanding policy of Asian exclusion. That policy can be traced back to 1882 when Congress passed a bill to discourage Chinese immigration to the U.S. It was extended to include the Japanese in 1908 (the Gentlemen's Agreement) and all Southeast Asians in 1917 (the "barred zone act"). Thus, we can view the act as a pivotal point in the history of America's relationship with the Orient. And the fact that today 33 percent of immigrants to this country are Asians shows that the act was passed to be enforced.

Moreover, the public pronouncements of our highest officials suggest that this commitment to equality in immigration is actually gaining momentum. When President Carter in 1977 signed a bill concerning Indochinese refugees (H.R. 7769), he remarked:

> I doubt if any other group of refugees in my lifetime have been so devastated by war than those from Vietnam, Laos, Cambodia. . . . This bill. . .acknowledges our gratitude and also our debt, also our commitment to a better life for the refugees. . . ."

Sixteen months later, President Carter again acted in a way that was consistent with his awareness of past American discrimination against Asians and his intention to correct that situation. This past February he announced the nomination of Senator Dick Clark of Iowa as Ambassador-at-Large and U.S. Coordinator for Refugee Affairs. Forcefully repeating his position on immigration equality, the President said:

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> This administration attaches great importance to effective refugee policies and programs. I want to reaffirm my interest in having domestic and international refugee migration resettlement and policies and programs fully coordinated so that the U.S. and other members of the international community provide prompt, equitable and effective humanitarian refugee assistance.

Congress, too, is responding. In March Senator Kennedy opened the Senate Judiciary Hearings on the 1979 Refugee Act by saying: "For too long our policy toward refugee assistance has been *ad hoc*, with refugees being admitted in fits and starts, and often long delay and great human suffering, because our existing immigration law is inadequate, discriminatory and totally out of touch with today's needs."

The proposed legislation is designed to rectify this situation and has been hailed as the most comprehensive and progressive piece of legislation in this country of immigrants and refugees. Let us hope that this advance billing is accurate and, more importantly, that the legislation is enacted.

Thus, there is public support for equality in immigration and concern for refugees. But can we truly expect the United States Government to be able to recognize the deepest needs of the refugee/immigrants and then act in their best interests?

I have in mind the specific problem of family reunification. The Philadelphia Child Care Guidance Center describes the difficulties:

> The process of making the transition from one's native country is unsettling, unpredictable and stresses the individual and family's ability to cope with everyday experiences. Over twenty years of research and clinical efforts in the field of family therapy have shown that stress factors become exacerbated when individuals are isolated and cut off from the support of family members and friends. The need to retain existing interpersonal ties is critical for refugees making the transition to a new and alien environment. This is particularly true of the Indochinese whose culture is strongly family oriented.

Family ties are fundamental to the cultural values of all the Indochinese refugees here. Their exodus, however, was at best ill-planned and, as its worst, random and unpredictable: 85 percent of the 130,000 refugees who came here in 1975 had between 2 hours to 2 days to prepare to leave ("Transit to Nowhere," Dr. Liu, Asian American Mental Health Research Center, Chicago). In the panic, hasty decisions were made or imposed, with husband separated from wife, child from parent, and brother from sister. Now many families are divided by the massive barriers of ocean and politics.

What are the results? On the one hand, perhaps as many as 200,000 of those who were left behind have challenged fate by taking to the sea in boats—a brutal experience. Boat refugee Doan Vinh Dang of Suitland, Maryland, for example, recently told his story to the *Washington Post.* He was one of only 4 survivors out a family of 14. During his grim journey, a baby was born to his sister, only to die 7 days later. On the 21st day, the next youngest son died and was buried, like the others, at sea. Only the compulsion to remain united with one's family can explain this flagrant risk of life. On the other hand, those who have been fortunate enough to make it to this country are daily tortured by the memory of those left behind. Which of us could easily endure the thought that someone we loved might be imprisoned, might be in danger of execution, might starve for want of food, might be desperate enough to risk life and limb on the sea route to freedom? Driven by such thoughts, many of the refugees who have successfully resettled here work at several jobs in order to be able to send money home—money for sustenance, money for escape. The result: an unsettled mind, stress and strain, guilt which saps mental and physical well-being. So serious are these effects that training and employment activities suffer gravely.

Perhaps more revealing than such generalizations is a recent call for help I received from a Red Cross refugee caseworker. I quote from her letter:

> I am writing to you now to ask your advice in a situation that has come up. A Vietnamese man around 40 years of age has contacted both our National Headquarters and our chapter requesting assistance in reuniting his family. He escaped from Vietnam one year ago and will not be able to apply for permanent resident alien status for another year. When he left Vietnam, he left behind his wife and three daughters, assuming that once here he could bring them to this country with relative ease.
>
> When he first contacted us he insisted that [the] Red Cross could help his wife leave Vietnam because his wife had telegrammed him that this was so. As you know, this is *not* so. The refugee has a very difficult time accepting this even after it was explained to him many times the role of Red Cross and the problems with [the] Vietnamese government.
>
> The next time he contacted our office he had immigration forms I-130 and I-134 completed along with supporting documents including translations of birth and marriage certificates. This time we had to tell him that he is not eligible to file these forms until he acquires permanent resident alien status. Again, this was a blow to the refugee.
>
> It is not unusual that we get cases like this where we must tell people that there is nothing to be done but wait. The reason I

> bring this particular case to your attention is that the man in question seems so deeply depressed, alone and desperate. He is obviously trying everything possible to have his wife join him as soon as possible but he is getting no positive support.

Again, I would like to reiterate, the U.S. Government does seem to be doing all in its power to help such people—at least until recently. So, for example, the Department of State opens its directives on "Family Reunification" with the following statement:

> All of us at the State Department with responsibilities in the area of family reunification are keenly aware of the sufferings of those whose families have been separated, and we are deeply concerned about the question of family reunification. We have raised this issue with the Vietnamese authorities on a number of occasions, but the results so far have been limited. We are heartened, however, by several recent actions in which the Vietnamese have permitted some American citizen children, or people coming to join American citizens or permanent resident relatives, to be reunited in the United States. We are also encouraged by what appears to be greater flexibility in the issuance of exit permits by the Vietnamese government.

This statement has, however, become open to question since Dale de Haan, Deputy High Commissioner for Refugees, announced Hanoi's willingness to allow Vietnamese to join family members who have already fled the country. What will be the response of President Carter, the Congress, and the Department of State?

In one instance we already know. In the same notice mentioned above, the Department of State urged all persons interested in family reunification with Indochinese relatives "to keep in mind that under normal circumstances, U.S. law permits only certain types of relatives to immigrate to the U.S." It went on to state that: "If you are in the U.S. on refugee or parole status you may not file a petition for your relatives. You may, however, apply for readjustment of status when you have been in the U.S. for two years—and for citizenship after five years."

This notice did nothing to encourage refugees wanting to work through regular channels. Instead, it reminded them of legal barriers, and indirectly invited them to advise their relatives that the only way left open was to flee by boat. Such a policy appears to take little account of the human and civil rights of the U.S. refugee population. Nor is it consistent with U.S. actions in similar past situations.

I have a specific precedent in mind—the Cuban exodus of 1965. In Cuba, as in Vietnam today, a Communist government severed diplomatic relations with the U.S., and tens of thousands of nationals with relatives in the U.S. wanted to emigrate. Opportunities for emigration were either haphazard or handled by international intermediaries. Unexpectedly, Premier Fidel Castro announced that Cuban nationals who wished to join their relatives in the U.S. were free to leave the country. Within a week, President Lyndon B. Johnson responded—speaking, appropriately enough, at the Statue of Liberty. He announced that those Cubans who wished to find refuge in the U.S. were welcome (Reference, The Cuban Refugee, *Immigration and Naturalization Reporter*, October 1976).

Refugees began immediately to come to this country in small boats. Within 2 months, the U.S.-organized airlift—the freedom flights—began to bring out the first of the 74,000 refugees who would arrive here by mid-1967. Important to note is the fact that first priority was reserved "for persons living in Cuba who were immediate relatives of persons living in the United States" (Reference, Article 2, Memorandum of Understanding of November 6, 1965).

Fourteen years later we have a similar situation different only in that the persons affected are Asian rather than Latin Americans. A Communist country, Vietnam—hard pressed by international sanction and perhaps by the need for U.S. recognition—has expressed its willingness to allow the emigration of its nationals. The U.S. Government has, in the recent past, expressed its willingness to accept as a first priority the relatives of Vietnamese Americans (above.) We hope that President Carter will respond as quickly and as vigorously in this situation as did President Johnson in the 1965 Cuban exodus.

At stake is the American commitment to equality in immigration, to the human and civil rights of the Vietnamese living in America. Will the U.S. response to the problems of Asian immigrants be equivalent to the response to a similar problem 14 years ago? Will the U.S. follow through on its commitment to Vietnamese refugees and quickly make provisions to bring their immediate relatives to this country—especially those who have been languishing for the last 4 years in so-called reeducation camps because they have fought alongside Americans for freedom?

We can only wait to see if the U.S. Government is as good as its word.

Issues and Concerns on Indochina Refugee Resettlement

by Enrique Delacruz*

Introduction

The west coast States, particularly California, have demonstrated a particular attraction for refugees displaced as a result of the turmoil in Indochina. The access to familiar foods, the high percentage of ethnic Chinese among the refugee population, the large concentration of existing Asian communities in the area, in addition to the milder weather of the region, are among the chief reasons why west coast cities now have the largest concentration of refugees.

Perhaps it is also for these reasons that the initial plan of the Department of State to have refugees settle all over the country so as to evenly distribute the responsibilities of resettlement has quietly failed. Individuals and whole families of refugees, as they begin to get their bearings, are now taking it upon themselves to resettle within and around geographic areas with large concentrations of Asian and Pacific islanders. Today, it is estimated that well over one-third of the total refugee population have established residence in California.

As one may well imagine, the problems confronting a population still suffering under the trauma of a 20-year war, now uprooted from their historical, social, and economic roots, and virtually transferred wholesale into a country with radically different socioeconomic systems and values are enormous and complex.

Refugee Policy

Rather high among the list of concerns of the Asian and Pacific communities is the lack of a well-coordinated policy on refugees. I welcome the news that there is now in the process an attempt to submit before Congress and other policymaking bodies more comprehensive proposals.

However, we are very concerned about any further delays. It is now 4 years since the initial massive influx of Indochinese into American soil; the Federal Government still appears to be floundering about without a consistent and well-coordinated national policy for refugee settlement. This, today, is rather blatantly illustrated by the fact that current special projects for refugees—presently coordinated by the Department of Health, Education, and Welfare—are on a phasedown schedule. The allocations for special projects this year is 25 percent below last year's allocation. Yet seemingly oblivious to this, President Carter has authorized for this year, the admission of an additional 50,000 refugees from camps in Southeast Asia, bringing up the total to something like 210,000.

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I also understand that the administration is considering the admission of 120,000 more for the year 1980. We certainly support this commitment, this grand humanitarian gesture. We fully endorse this action by the President but we would like to see some substance behind it. The seriousness of the situation and the need for immediate action is exemplified by the fact that although we are already nearing the end of the fiscal year, there appears to be no decision yet on the part of Congress or the administration on whether to continue funding these special projects beyond this fiscal year.

The wholesale resettlement of a people in a country whose socioeconomic systems differ radically from their origin is a long, difficult, and protracted process. In our highly technological society, overnight we can transfer a forest from Oregon to southern California, but we cannot force these trees to grow roots overnight. The same applies for the refugees. Needed are both short term programs and assistance that address the immediate survival needs, and then longer term and medium term programs that will monitor and provide assistance to the refugees in their struggle for economic self-sufficiency.

A comprehensive reception settlement system and policy needs to be determined and refined now. The need is for an integrated and highly coordinated process for receiving, reorienting, resettling, training, and job placing this highly vulnerable population. The appointment of Ambassador Clark, again I should say, is a step in this direction but a person alone cannot do it and a system has to be put in place right behind it.

Currently, refugee projects and affairs are administered from different governmental agencies. The Department of State oversees the initial reception and orientation of refugees; while the Department of Health, Education, and Welfare oversees social service delivery and special programs. It is often the case when we have two distinct administrative bodies that, the left hand, so to speak, does not know what the right hand is doing. So there is duplication, lack of coordination, and waste.

Economic Self-Sufficiency

Among the complex problems and numerous needs that now exist within Indochinese communities, the need for economic self-sufficiency is the most critical. The alleviation of this need is also the "lynchpin" to their successful resettlement in American soil. In considering what can be done in this area, I believe it would be most useful to view the problem in economic development terms. Needed, therefore, is an appraisal of the existing resources among the Indochinese that can be tapped and harnessed. Hand-in-hand with this, one should also determine what nonexistent economic resources need to be developed for these communities which will then set them firmly on the road to economic self-sufficiency.

Let me illustrate what I mean here by focusing on the area of manpower development. The refugee communities have a wealth of human resources that need to be retrained and redirected in order to be adapted to American society. Among the Indochinese we have doctors, nurses, engineers, architects, technicians, and service workers whose background and experience is largely unused and wasted. Part of the problem here stems from restrictive licensing regulations and revalidation procedures that often do not recognize their foreign training and background. In some professional fields, for example, foreign-trained and experienced professionals are required to take a series of *qualifying* examinations (which are often discriminatory) before they can even be allowed to take the actual licensing examination. In California this is true of the medical and other professions. While we certainly recognize the responsibility of the various professional licensing boards to allow only those who are competent to practice their profession, these practices and procedures need to be reexamined and evaluated so that they do not become exclusionary and discriminatory in function.

In addition to a look at the processes involved in the licensing of professionals and paraprofessionals vis-a-vis those with foreign training and experience, there is a need to develop, fund, and implement programs for the retraining and relicensing of Indochinese who have brought with them into this country extensive training and work experience in the various professional and technical fields.

The capital investment in human terms that Indochinese Americans have already made, and which they have brought with them from Indochina, are now a part of and should be counted as a part of the human resources that now exist in American society. Let us not waste them.

As a footnote to this point, I should mention that the issue of seemingly exclusionary and descriminatory procedures in the relicensing of foreign-trained and experienced professionals has been a festering concern among Asian American communities. On a per capita basis Asian Americans have a higher level of education and a higher level of work experience background than most other minorities; yet the rate of unemployment and underemployment among them is just as high. I would say that part of the reason for this is the inability of a good number of new Asian Americans to practice in their chosen field due to restrictive and discriminatory licensing requirements vis-a-vis the foreign trained and educated among them.

For Indochinese Americans the problem of relicensing is further aggravated by the fact that a majority of them still only hold a "parolee" status legally, this means that they do not have the status of "permanent alien residents." This simple legal technicality generally excludes them out right from applying for any of the licensing examinations. These examinations are only open to U.S. citizens or permanent alien residents. Indochinese Americans on "parolee" status are, therefore, automatically excluded from applying for these examinations. Thus, a whole spectrum of professions are closed to Indochinese—from accountants (CPAs), engineers, architects, pharmacists, nurses, doctors, veterinarians, etc.

The "parolee" status of the Indochinese sometimes even excludes them from even entry level jobs. In Los Angeles, for example, we have a large number of aerospace firms, among them are TRW, Douglas Aircraft, Rockwell, etc. Since these firms are also defense contractors they are expressly limited in their hiring to just U.S. citizens or permanent residents. This policy has so far effectively excluded Indochinese from obtaining employment, which they are qualified for, within the aerospace industry.

The above examples illustrate how the existing human resource among Indochinese Americans are being wasted or underutilized. In the area of resource development, the problems are somewhat more complex. Consider the subarea of manpower/employment development. Because Indochinese Americans come from a broad cross section of respective societies in Indochina, no one single approach to the problem of manpower and employment development would be adequate. There are a number of distinct needs and barriers that need to be overcome:

1)Foremost is the almost universal need for upgrading of language skills.

2)There is the need for training for those without any economically relevant skills.

3)For those in the profession, with economically relevant skills and backgrounds, there is often the need for relicensure or retraining.

4)For those without economically relevant skills, there is the need for vocational training.

5)For those with economically relevant skills, and for many more who are unskilled but who need and wish to work anyway, there is the need for employment development and employment advocacy.

6)For those who have managed to find employment but are severely underemployed, there is the need for employment upgrading.

7)Finally, there is the need for vocational orientation, counseling, and career planning assistance.

Despite the recognized existence of such needs and barriers to employment, however, special programs for the Indochinese are sadly lacking in flexibility and are also severely underfunded, and sometimes seem to have been designed from a lack of understanding of the complexity of the problem. With special programs administered by the Department of Health, Education, and Welfare, for example, provision is made for ESL (English as a second language) and vocational training programs. But program monies cannot be spent on participant allowances. Thus, the typical Indochinese head of household is expected to study English, learn a trade, and at the same time support an average family of four. Clearly, the only recourse for someone who wishes to take advantage of these programs but who still needs to support his family, is to apply for public cash assistance—with all its attendant Catch-22s. If there is a logic to this, I must admit that I fail to perceive it at this time.

Mental Health Needs

The trauma of resettlement has long term implications. The multiple role and status change stemming from the refugee's move from Indochina to American soil has created a chronic basis for concern for the mental well-being of this population. The change in status *vis a vis* wealth, productivity, employability, family, friends, social relations, etc., is a severe change resulting in a long term, high anxiety condition for the whole population. Treatment oriented and preventative mental health interventions are needed on an expanded basis. Both preventative and clinical treatment efforts need to be established to intervene in this problem.

The Second Wave of Refugees

Out of the current administration's commitment to play an active role in the relocation and resettlement of Indochinese now languishing in refugee camps throughout Southeast Asia, the second wave of refugees have now begun to arrive in American soil. This second wave may well be significantly varied from the first wave that arrived in 1975. The first wave presented a population that—except for the trauma of the time itself—had a greater degree of skills and qualities that lead to an easier sponsorship and transition. Current indications are that this second wave—represented in large part by the boat people—tend to be a more dependent and more vulnerable population. There will be more elderly, more single-parent families, more unattached minors, more non-English-speaking people, and more unskilled workers. The vulnerability of this population calls for an increase of transitional support services.

In this connection, I should mention that the Asian American social service organizations are deeply concerned that their efforts to plan and meet the manpower and social service needs of their new constituency has so far been frustrated by a lack of well-defined commitment and resettlement policy from our government.

Our efforts have also been undermined by unstable and inadequate funding. For example, on December 30, 1977, after a year of operation, PACE's refugee employment project had to shut down for 8 months and lay off experienced staff all because of delays by Congress in passing the needed reauthorization and allocation measures. When funds became available, we had to hire and retrain new personnel. We face a similar prospect again after only 12 months of operation. Should special services for the Indochinese now available through Asian American social service agencies experience drastic curtailments, the needy from this population will have to turn to general public assistance programs for survival. We feel that dependence on general public assistance programs with their attendant "Catch-22s" is not the solution to the problems of refugee resettlement. Higher priority must be placed on programs providing employment as well as job training and retraining. Hand-in-hand should also be the expansion of the necessary social and transitional services supportive of these manpower programs. In determining the design and regulations that govern such programs, an openness should be maintained to allow innovative and novel program concepts to be funded.

Asian American Community Role

As mentioned earlier, Asian American communities in California, especially for the southern region, hold a particular attraction for the Indochinese. By the same token, Asian American social service agencies have particular identification and attraction for the needy individuals of this population. Asian American service delivery agencies have demonstrated the advantages of a shared experience and tradition in performing and delivering sensitive and effective orientation and training services. By virtue of having experienced similar transitional hardships, Asian American agencies and their constituent communities have a particular expertise and viewpoint that could contribute significantly to the process of defining and refining national policy and programs on refugee resettlement.

I believe that this knowledge and expertise has been largely untapped. This is not to say that these agencies have not made an effort to provide input through their political leaders but this effort has been largely fragmented and sporadic. These agencies do not have the resources and means to develop a mechanism that would assure coordinated and continued input into the formulation and refining of refugee policy and programs. We feel, however, that the onus for developing such a mechanism lies with the Federal Government. Our thinking is that the Asian American community ought to be intimately involved in this process. The collective experience of many Asian groups in working with resettlement should be harnessed to improve the government's grasp of the issues involved.

Today's consultation hearings on civil rights issues is a significant step in the right direction. Similar hearings and consultations need to be undertaken by the various government agencies and offices responsible for the development of policy and specific programs on Indochinese resettlement.

Indochinese Refugees: The Mental Health Perspective

by Janlee Wong*

While the issue of mental health, refugees, and resettlement began at the time of evacuation in 1975 (NIMH Report, Guan), it is only just recently that an attempt has been made by the government to address these concerns with programs throughout the country. There were 6 demonstration mental health projects in 1977–78 followed by the current 37 projects throughout the country. This paper will be divided into three parts: 1) The mental health assessment of the refugees, 2) how current and planned policy has addressed the mental health issues raised, and 3) what should and can be done at local, State, and Federal levels in this area.

In assessing the mental health of the refugees, an attempt will be made to involve a social systems perspective rather than a clinical perspective. The major circumstances involving mental health are: 1) the war, 2) evacuation, 3) refugee camps, and 4) resettlement in this country—past, present, and future. To understand the current mental health status of the refugees, it is necessary to view all these elements as collective, inseparable, and interrelated which affect the refugees' ability to resettle and adjust in this country.

All of the refugees in this country were affected by the 30-year war in Indochina. According to the "Study Mission Report" (Committee on the Judiciary, U.S. Senate, 93d Congress, 2d session, January 1974) over half of South Vietnam's population had been forced to move since 1965; civilian war casualties totaled approximately 85,000 during the first year of the ceasefire; 65 percent of South Vietnam's population was urbanized; and a massive social welfare crisis existed with 880,000 orphans or half orphans, 650,000 war widows, and some 181,000 disabled amputees, paraplegics, blind, and deaf.

In 1954 approximately 1 million refugees moved from the North to the South. All the refugees or people that they knew had known the experience of moving, of a sudden change in their society from rural to urban, of a daily war that brought such attitudes as "living for today" and "survival of the individual" as opposed to the old Asian tradition of mutual familial dependence. When faced with war and the approach of the enemy, the Indochinese in Indochina were very familiar with migration, sudden evacuation, and the feeling of fleeing. For those near the front lines, they were very prepared to pack up and leave if it became necessary. This was a great change from the centuries-old way of being tied to their ancestral village, their family plot. The change from rural to urban wrought great disruptions in the traditional family structure. Cities were crowded and moving quickly towards Westernization.

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Indochinese in wartime could not plan for the future, if for all that they might know, they may be killed tomorrow. With this day-to-day attitude, Indochinese could not consider long term plans, but rather how to survive. And even when it came to how to survive, they could not even think of their families during crises; they learned to think of themselves first—how to make it through without being killed or hurt.

This fundamental change in a society that prized the family, role relationships between people, and the sacredness of tradition very quickly became infused with an individualistic self-preservation attitude. People learned to suppress and repress all emotions in order to cope with the task of living in a war-torn country. Death, tragedy, and disaster were all endured with inappropriate laughter, and what we would find to be unnatural behavior, such as drinking or having fun when things became terrible. Throughout evacuation and resettlement, these basic attitudes come up again and again.

Evacuation came suddenly after the northern provinces fell and shelling of Saigon began. "In just two days, April 29 and 30, 75 percent of the refugees left" (Liu, Fall 1977). The motivation for fleeing was either fear for life because of previous activities or to escape the shelling (Liu, Fall 1977). This was in line with the wartime mental attitudes and changes that the Indochinese went through. Used to fleeing from war zones and the development of a strong survival instinct, it came quite naturally that the refugees would suddenly flee again—this time in terms of evacuation. But leaving one's country is different than moving from one region to another.

How could Indochinese, who loved their countries so much, leave? According to E.F. Kunz, (in "The Refugees In Flight: Kinetic Models and Forms of Displacement," *International Migration Review* 7:125-146, 1973), refugees suffered both "acute" and "anticipatory" types of movement. Those who left in a panic—with little or no planning—were "acute." Those who left with some orderly and well-prepared fashion were "anticipatory." The Indochinese refugees for the most part were "acute." They had little in their minds except to flee. What way they took to flee depended on outside forces rather than careful plans that they made themselves. Kunz feels that those who were "acute," might have mental health problems which may affect their adjustment in the countries that they finally end up in. Of the refugees, about one-third came as single refugees (Liu, Fall 1977). These refugees thought of themselves first, not consciously forgetting their families, but thinking only of how to get away and survive. They are the ones who will suffer major mental health-type crises.

The refugee camps, "midway to nowhere," as Kunz described them, were (temporary ones such as Pendleton) and are (semipermanent ones as in Thailand and Malaysia) the stopping off points. The refugees could flee no more in a camp and they didn't have to flee anymore. There the ultimate realizations came forth. It was first noticed in the change in attitude of the refugees from one of being thankful and docile to that of being angry and disillusioned and having complaints. The latter conditions surfaced in complaints about food, confinement, lack of information, unfamiliar tasks or routines. These were followed by displays and expressions of anxiety, depression, unhappiness, silence, and crying.

The "Kunz" effect—forgetting everything except escape—was no longer in effect in the camps. What followed among some of the refugees was the resurgence of previous neurotic patterns of behavior and the development of psychotic reactive symptoms as well as other psychological distresses (Tung,1975). Suicide attempts were reported. What caused the refugees to flee—the stress of war, the breakdown of traditional family systems, was no longer present in the camps. Traditional Indochinese ways returned in the safe, protected environment of the camp. Old and new family systems found themselves in the camps. The refugees' traditional ways of dealing with mental health problems such as internalizing and suffering in private happened in the camps (Tung,1975). For those who ran and came here individually, there was the "tortuous guilt" (Tung, 1975). The camp experience turned out to be one of the precursors of what the refugees would experience upon moving out from the camps in the area of mental health:

> The most serious complaints that are to be lodged against the resettlement effort in camps are: 1. the mental health needs of the refugees were not taken seriously, and, 2. it was assumed that assimilation would be problem-free without taking into account the different cultural values of the refugees. (Liu, *Bridge*, 1978, p. 49.)

Resettlement efforts by the refugees were first challenged by the stress resulting from the loss of family, homeland, traditional ways, and the lack of preparation in leaving. The situation was further exacerbated by language barriers, the cultural clashes, Americanized children, dispersal of refugees over a wide area of the U.S., role changes, and the lack of accurate information/communication.

Efforts were made by sponsors to orient the refugees quickly into the American mainstream. Find them jobs and teach them English was the focus of the effort. The fact that they were from a war-torn country, that they had suffered some terrible losses, and they were not your average mainstream American, but from a different time and different culture, were somehow overlooked in the rush to resettle. Resettlement meant isolation and loneliness for those dispersed to remote areas. Resettlement meant being thrust into the welfare system for others. Resettlement meant disillusionment for some and the hope of a new life for many others.

The lack of an adequate mental health program from the very beginning has become evident even up to now. Refugees who were crying and suffering in silence 3 years ago, are still crying and suffering in silence. There have been many more suicide attempts since then. Marital problems have resulted in many cases of separation, divorce, and runaways. Severe depression is common. All of this, combined with anger and frustration, have clouded the future here for some refugees. Their resettlement efforts will take much time and energy. Now and then one or two will be struck down by a psychotic episode or a nervous breakdown. Those refugees, who entered the mental health system where they lived, faced the risk of being misunderstood or misdiagnosed because the mental health people did not understand their cultural differences. The refugees find themselves in a cultural and psychological bind. Their children are being Americanized in the schools much to their dismay. The jobs and ESL training they receive is at the lowest level or entry level. They cannot reach their families back home. Current events plague them like nightmares.

Mainstream Americans display ambivalence towards them, or in some cases, outright resentment and hostility. Feelings of guilt, insecurity, lack of confidence, frustration, and anger were not and have not been dealt with. Many refugees lack even the simple tools to survive with here compared to other immigrants and refugees who were prepared to come. There was a lack of an established community that could receive them. Their experience of fleeing unprepared and in a panic has caused many to question their ability to adapt and adjust here. Their familiar systems of extended family, herb doctors, monks, spiritual leaders, and role relationships have been wiped out and replaced with new forms, or in some cases, with nothing. Newly arriving refugees have been found to have lower education, less skills, and more training problems than the first wave of refugees. The first wave of refugees still are faced with the psychological stress resulting from the failure to terminate important relationships. The implications of all of this is to question the prognosis for successful resettlement. To address this issue, we must carefully examine past and existing resettlement programs.

The first significant program for refugee mental health across the country came in 1978. Guidelines from Department of Health, Education, and Welfare stipulated that refugee mental health programs consist of:

1) impacting the local mental health systems, and training local mental health professionals to work with Indochinese;
2) training Indochinese to be mental health workers and placing them in the mental health field; and
3) creating community comprehensive support systems.

There were two major weaknesses right at the very beginning with the legislation. First, the programs were slated only for 1 year. Second, the mental health money was available for programs throughout the country based on proportion of the refugee population. The weakness of 1-year programs is quite evident when given the scope and comprehensiveness of such a program design as the one outlined above. The program proposals that came into DHEW from across the country ranged from one in Spokane, Washington, that received $6,856 to one in Pennsylvania that received $202,254. Obviously, the quality and design of the proposed programs was primarily limited by the amount of funds available to each region of the country. While refugees in Pennsylvania might have an excellent program, refugees in Spokane are getting the barest minimum of a program.

To accomodate the funding restrictions for each region in the country based on size of the refugee population, proposals could contain one or more of the three objectives outlined earlier. While the size of the refugee population may vary according to each region, the *needs* of refugees in one place or another are very nearly the same as far as mental health is concerned. Yet because of the need for fairness as far as the amount of money and the number of refugees in one particular area are concerned, the difference in mental health programming is vast.

The theory behind the first objective of the mental health programs—the cultural awareness training of mental health service providers and impacting the local mental health system—is to make these systems accessible to Indochinese, and in some cases the idea is a sound one. Mental health professionals who get the training certainly will gain some insight into working with Indochinese. And to bring the concerns of Indochinese mental health needs to the local mental health systems will certainly raise the issue in their minds. However, there are serious concerns as to whether the overall effectiveness of the programs to impact local mental health systems is adequate enough to access these systems to the Indochinese population. Dr. Tran Minh Tung, the pioneering Vietnamese psychiatrist in the Camp Pendleton studies, felt that "Vietnamese tradition views medicine as the domain of somatic disease and places non-physical problems outside the jurisdiction of a doctor," and "Vietnamese see sorrow and grief as natural processes which do not permit the 'sick role'" (Tung, 1975, p. 4). Because of these traditional cultural beliefs, it is unlikely that Indochinese would use the local mental health systems even if they were impacted by seminars and cultural awareness training. In many counties, the local mental health systems use a medical model that emphasizes verbalness, initiative, and values that would fit a white middle-class client. Unless these local mental health systems develop new programs, there remains the limited or nonexistent access to their programs for the Indochinese.

In analyzing the second objective, to train Indochinese mental health paraprofessionals, there are two factors to consider: 1) the lack of an appropriate model to train with, and 2) the lack of job opportunities for them when they finish their training. The task of training Indochinese in mental health is immense. It is only recently that we have learned that Asians have mental health problems. Before they, as well as other minorities, were ignored and forgotten. With information that we have learned from such studies as "Asian American Psychological Theory" (Sue, 1977), "Asian Americans and Therapy," (Yamamoto, 1978), and "The Family and Management of Mental Health Problems in Vietnam," (Tung, 1972) we can begin to build a culturally oriented mental health model that will address the mental health needs of Indochinese. This model, combined with some traditional mental health concepts, will take from 1-2 years to train Indochinese. Currently, projects are only 1-year long with some hope of funding for a second year. These difficulties are compounded with the task of training Indochinese who come from a system that does not have psychological concepts as we do here in the West, who have to learn English as a second language, and who are refugees themselves with similar mental health/adjustment problems. The whole idea of training Indochinese to be mental health workers is even more under question if the trained Indochinese cannot find jobs afterwards. To secure the support of local systems to hire Indochinese during a time when there are funding crises for many mental health systems is not easy to say the least. And to train Indochinese to compete in the local job market requires more than 1 year's worth of training.

The last objective, to build a comprehensive community support system, is something that many minority communities in the U.S. have been trying to do for years. Mass community education, referral systems, community mental health prevention are all techniques that have been attempted in the past with some measure of success and failure. This may be the weakest link of the mental health program format. The purpose is to educate, encourage, and influence a community to utilize the mental health system and the mental health worker. The Indochinese community is known for internalization of feelings, stoicism, somatization, and suffering in private silence. The Indochinese, and Asians in general, come from a different culture altogether than non-Asians and non-Asian refugees such as the Soviet Jews, the Cubans, and the Hungarians. If the Indochinese community is predisposed to handling their mental health problems in ways that do not fit the current medical model that most mental health agencies and systems use, then is the answer to change the Indochinese to fit the model? Or is the answer rather to develop new and appropriate models and systems to aid the mental health of Indochinese?

What can be done at a local, State, and Federal level to address the issues and problems raised in this paper? At the local level, we see a need for local mental health systems to be responsive to the particular mental health needs of the refugees. Mental health systems need to develop culturally appropriate mental health programs for Indochinese. A major portion of these programs should be outreach programs and prevention programs. Bilingual Indochinese mental health workers should be outstationed at local access point for Indochinese such as churches, pagodas, schools, health clinics, community, and cultural associations. Preventative programs should be designed for community meetings and events, for schools, and for the media. Local governments should have more flexible child care licensing requirements as refugee families often need to have both parents working. Local mass transit should be developed for all residents. Local Indochinese programs should have stipulations that each program have a mental health worker to screen for potential mental health cases, to provide mental health work in the context of the services provided, to provide mental health consultation in the program, and to develop additional mental health support as needed. Local health care facilities and other social service programs should have a mental health worker, part or full time, to provide the mental health input in their programs as well as work directly with their Indochinese client population. Education, employment, and training programs would also need to have some mental health personnel. Instead of the current clustering of all mental health workers in a clinic or center, for the Indochinese as well as other Asian minorities, the workers need to be out in the community with the people they are to serve. It would be necessary to ask agencies and systems to create new mental health positions in their programs and to hire bilingual workers. This would require the education and encouragement of such agencies to do so. For that, it is necessary to look at the funding sources—such as the State and Federal levels.

At the State level, funding for various mental health programs in local areas need to have some strings attached to ensure that Indochinese are being served. The States need to ensure that their local programs serve Indochinese either through existing sources of revenue or ask for Federal aid. This becomes a political issue because some States pride themselves on refusing Federal aid and Federal programs. Their attitude is one of self-reliance and independence. But the world is far more complex than that, and the peoples who come to live in such a State have different cultures, different problems, and different needs than the residents who have lived there longer. It may be that such States that refuse to develop adequate refugee mental health and other programs would not receive other Federal funding. The State government has an important role because it understands local conditions that are far removed from the Federal level. It can provide comprehensive long range planning and direction, federally subsidized and unsubsidized funding, and adequate evaluation and monitoring of programs. For example, in California, the Short-Doyle Act provides for community mental health centers and services throughout the State. This assures all residents of California access and provision of mental health services. The State department of mental health provides guidelines and direction to local mental health programs. The State also provides approximately 90 percent of the funding (subsidized by the Federal Government) for local mental health programs. If the State of California were to develop a refugee mental health program, it could influence local mental health systems to develop outreach and preventative models based on culturally relevant and appropriate concepts. Additionally, the State, which monitors and administers the Title XX Social Services programs, could also ask that mental health workers be included in the program design for each project and each locality. Finally, the State has control of employment programs, including State CETA. Efforts should be made to develop such employment programs that serve the needs of bilingual peoples and non-English monolingual peoples. The point is not that these peoples get special treatment or more than what the other residents get, but receive the training and services that will allow them to be useful productive citizens.

The Federal level is a critical one. Ultimately, the Federal level must be responsible for the resettlement of refugees in the entire country. The Federal level must provide a comprehensive planning and funding schedule that will allow for the most optimum resettlement in the shortest time. Refugee policy should not only come from the one DHEW department that handles the Indochinese Refugee Assistance Program (IRAP), but also be integrated in the other departments of the Federal Government. While IRAP tries to set up special projects and programs for the Indochinese, other governmental agencies may not be aware of IRAP efforts as well as policies that they could institute to aid the resettlement efforts. For instance, Federal efforts in housing, affirmative action, CETA programs, and education should have some policy regarding refugees to aid their resettlement. In areas of high concentrations of refugees, Federal efforts should be made to assure housing without displacing other residents who have lived there longer; affirmative action policies including refugees should be enforced especially in the areas of health care, mental health services, education, etc., and multilevel English as a second language programs should be developed and available. Again, the purpose is not to give one group special treatment, but to provide an effective and speedy route to resettlement and eventually valuable and beneficial contributions to the American society by the Indochinese.

In summary, the Indochinese have throughout the 30-year war in Indochina, the evacuation and the resettlement here been subjected to tremendous stresses on their mental health. Our goals are to aid them in their resettlement here, particularly in mental health, which we define as a social system concept. This social system concept includes mental health services, social services, education, employment and training, family reunification/immigration policy.

Suggestions for Action

The refugees have been conditioned to "live for today" as outlined early in this paper. The refugees must learn how to plan for the future. The government must realize that a long term refugee program is necessary for a people who have been conditioned to "live for today."

Federal Level —At the Federal level a long range comprehensive refugee program must be developed. The current draft refugee act suggests a 2-year limitation on refugee aid from the date of entry. It would be better to make this 2-year limitation flexible and applicable only to single refugees considering each case individually. For large- and medium-size refugee families, it takes much longer to become self-sufficient. To apply the 2-year limitation to these families would be to discriminate against them on a cultural basis because for Indochinese families large families are the norm and desired as opposed to the cultural values in this country that encourage small families. Resettlement should take anywhere from 2 to 10 years; it is necessary to allow some families, especially those with lower education levels, to have enough time to resettle.

Guidelines for all federally funded projects should include a refugee mental health component. States should be encouraged by the Federal Government to provide fair and equal services and programs to all refugees regardless of where they are resettled.

The Federal Government should convene a national conference to discuss refugee planning, policy, and implementation with substantial input from the refugees themselves.

Local Level —Local government and communities should encourage development of adequate refugee programs with subsidized funding from the State and Federal levels. Every effort should be made to ensure access by refugees to all available programs.

State Level —States should provide equal programs and services with or without Federal subsidy. States should develop detailed and location-specific resettlement plans for the refugees.

The refugees have long treasured and valued the extended family and the community approach to life and their social systems. During the war and afterwards this was disrupted and replaced by survival of the individual and the need to "run away." The refugee policy should address itself to these issues in the following ways:

- The Immigration and State Department policy regarding family reunification should be adjusted to allow the refugees to bring their families to the U.S. sooner and with less red tape. Current policy stipulates that refugees must attain permanent resident status (the refugee must remain in the U.S. for 2 years before attaining permanent resident status) before being allowed to apply for spouse and unmarried sons and daughters of any age. Considering the mental health needs of the refugees and the great stress placed upon them because of separation from their families, it would seem that reuniting them sooner would be a form of mental health prevention and thus, in the long run, saving both the refugee from entering the mental health system and the cost involved in treating the mentally ill. The emphasis in U.S. immigration policy is on immediate family members (considered to be the most important family members). This is a cultural bias against people of Asian background because Asians place importance on a wider group of family members—each being of equal importance.
- A real effort should be made by the Federal Government in the area of affirmative action in hiring more bilingual Indochinese workers. The resettlement effort cannot proceed quickly and effectively without the aid of bilingual bicultural workers who can expedite mental health and social services that the refugees must rely upon when first entering the U.S. Without bilingual workers, the refugees are, in fact, being denied access to services they have a right to and, therefore, have been assigned second-class citizens status.

The last issue that should be addressed is one that may not be influenced so easily and directly by Federal, State, and local governments. That issue is one of racism and prejudice. With increasing frequency refugees are being harassed by local residents. Episodes of trashing, window breaking, and name calling have occurred. Refugees in some cases have been shot and stabbed by resentful and hostile Americans. The amount of misunderstanding from some elements in the American society ranges from misconceptions that the refugees receive higher and better benefits and services than other Americans, to the idea that refugees are displacing other Americans (who have been here longer) in the areas of housing and employment. It behooves everyone, from the media to the government, to make substantial efforts to educate the general public on the circumstances behind the resettlement efforts and the actual facts of the kind and amount of services and benefits the refugees are getting in the resettlement program.

In the Los Angeles metropolitan area there are 40,000 resettled Hungarian refugees. It is hard to believe that there are so many Hungarian refugees in Los Angeles because they have blended in. One cannot tell them from one American to another. Yet in the Linda Vista area of San Diego, grocery clerks are rude to refugees, American youths ridicule refugees, and Indochinese youths are attacked and ganged up on by other youths. America has always been an open door nation to refugees from all over the world, but recent events seem to indicate that that door is closing. We can reverse that trend by providing a comprehensive long range refugee program that addresses the serious mental health issues of the refugees in all facets of their resettlement here in America.

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Parole Status of Refugees: An Impediment to Effective Resettlement

by Julia Vadala Taft*

Since World War II more than 1.8 million refugees have been admitted to the United States. While the average annual admission has been approximately 50,000, there have been certain periods in our history where that number has been quite large. The latest large scale movement was in 1975 when more than 131,000 Indochinese refugees were welcomed on our soil.

Refugees are admitted under two provisions of law: as conditional entrants and as parolees. The conditional entrants are provided for under the seventh preference category of the continuing provisions of the Immigration and Nationality Act and are limited to 17,400 annually. Specifically, they are refugees who have a well-founded fear of persecution based on political, racial, or religious beliefs, who are outside their country of nationality, and are unable to return to their country of origin for fear of persecution. Additionally, they must be from a Communist or Communist-dominated country or from a country in the Middle East. Of the total number of conditional entrants, 7,200 may come from the Western Hemisphere.

The other mechanism used to admit refugees is through the parole authority vested in the Attorney General to admit any alien temporarily "for emergent reasons or for reasons deemed strictly in the public interest." There are no numerical limits on the parole authority. While the intent of this provision of law was specifically for individual cases, since 1956 it has been the vehicle through which the United States could respond to emergency humanitarian situations involving large numbers of refugees.

The Hungarians in 1956, the Cubans during the 1960s, and the Kurd, Ugandan, Soviet, and Indochinese refugees during this decade, mostly have been admitted by group, rather than individual parole.

Neither the conditional entry nor the parole status confers permanent residence on the refugees. In fact, the parolee is admitted temporarily which results in a virtual "limbo" as the refugee is not formally admitted to the country and, thus, technically could be deported at any time. Such ambiguity places great strain on the mental well-being of refugees since all of them come to the country seeking safe asylum and security from the threat of persecution and rejection. In practice, however, virtually no parolee in recent history has ever been subjected to an expulsion process. Because the United States Government is a signatory to the United Nations Protocol on the Status of Refugees which forbids deportation of refugees to their country of origin, no refugee has ever been forcibly sent back to his or her country of origin.

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Typically, refugees must wait 3 years before applying for permanent residency. For Indochinese, however, a special bill passed by Congress allows adjustment of status for all Indochinese refugees who have been in the country for 2 years.

There is much evidence to show that the parole status has many negative effects on the refugee who is seeking to resettle in this country. There is confusion between the "parole" status of the refugee and the criminal "parole" by persons who do not understand Immigration and Naturalization Service terminology. Often employers are hesitant to hire persons without a "green card" although all refugees are entitled and encouraged to work.

Another negative aspect of the parole status is that several States refuse to grant in-State tuition status for refugees residing in their State who wish to attend institutions of higher education. Another impediment posed by the status is a source of continuing anguish: There are strict limitations on petitioning for family reunification by noncitizens and nonpermanent resident aliens.

Additionally, there are restrictions which are imposed by certain States limiting the accessibility of certain professions to citizens or permanent resident aliens. These occupations include accountants, architects, attorneys, barbers, chiropractors, cosmetologists, dentists, dental hygienists, embalmers, engineers, manicurists, midwives, nurses, opticians, optometrists, pharmacists, physical therapists, physicians, practical nurses, podiatrists, psychologists, teachers, and veterinarians.[1] It should be stressed that all States vary in the occupations which require citizenship or permanent resident status. It is thought by the American Civil Liberties Union that these laws are unconstitutional; however, they continue to be enforced unless they are challenged individually.[2]

Ironically, the Federal Government and most States deny governmental employment to refugees and other aliens. I firmly believe since it is a result of governmental action that refugees are admitted to the United States, that the government, itself, should set a proper example for other employers by allowing refugees to participate in the competitive civil service. Not only is it a disservice to qualified refugees to deny them access to governmental jobs, but also it denies the American people from benefiting from the talents and services of many extremely well-qualified newcomers.

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[1] Carliner, David, *The Rights of Aliens—The Basic ACLU Guide to An Alien's Rights* (Avon Books, New York. 1977), pp. 127-28.

[2] Ibid.

The role of the U.S. Commission on Civil Rights would be particularly helpful if the Commission would endorse the removal of current restrictions placed on refugees to serve the Federal Government in civilian or military capacities. Two avenues in which to express this concern would be either through supporting legislation which would remove those current restrictions or through urging the President to rescind Executive Order 11935 which prohibits Federal employment of permanent resident aliens.

While there are several remedies which can be taken to reduce the negative impact of the parole status, it should be realized that the basic status, itself, provides little benefit to the immigration procedures of our government. In fact, it results in great cost and burdensome procedures to adjust the status of refugees after they have completed residency requirements.

I advocate the total termination of the "parole" mechanism for refugee admissions in favor of granting refugees immediate permanent resident alien status. Such an initiative is, fortunately, included in the proposed legislation submitted by the administration recently in the national refugee act of 1979. Under the provisions of that bill, there would be a normal flow of refugees who could be admitted to the country of 50,000 annually who would come in as permanent resident aliens.

With the exception of the real and perceived aspects of parole status outlined above, it is important to understand that refugees are entitled to almost all the protections and privileges offered to others in our society. Some distinctions remain between aliens, including refugees, from citizens, such as the right to vote, to hold elected public office, and holding employment in the competitive Federal civil service. In spite of this, refugees can become beneficiaries of numerous Federal programs if they meet the eligibility criteria established which are the same for U.S. citizens.

Examples of such programs include the income assistance programs funded through the U.S. Department of Health, Education, and Welfare such as public assistance and supplemental security income. The HEW-funded program in conjunction with States for medical aid to the poor, medicaid, has no residency time limit, although medicare has a 5-year residency requirement. The Department of Labor programs for unemployment compensation and disability and workers compensation are also available to refugees on the same basis as they are available for U.S. citizens. Student loans and education programs, as well as food assistance, are additional examples of benefits to which refugees may avail themselves if they need them.

In spite of the plethora of assistance programs available to refugees, their struggle for self-sufficiency with a maximum degree of pride in themselves and their heritage is a most difficult task. As policymakers, and as a conscience of civil libertarians, it is important for the Commission to recognize and try to obviate those impediments, particularly the artificial ones such as parole status, which become barriers to effective integration into our society. It is with that goal in mind that the recommendations in this paper are offered for your consideration.

Asia-Pacific Illegal Aliens: A Discussion of Their Status, Limitations, and Rights Under the Law

by David S. North*

This is a substantial but unknown number of Asian and Pacific Americans whose status is not recognized under the immigration law (and therefore not by the Immigration and Naturalization Service (INS)). For convenience we are terming them illegal aliens. Today we will describe how they acquired that status, what little is known about the characteristics of this population, their rights in that status, and finally what is to become of them.

I. Acquiring Illegal Immigrant Status

Unlike most of the groups of concern to the U.S. Commission on Civil Rights—such as blacks, Native Americans, and Hispanics—no one is born an illegal alien; it is a status that is rarely thrust on one. All illegal immigrants (except the very youngest) volunteer for that status. In a world where all nations have borders, and all nations utilize their power to decide who may and who may not cross them, no nation recognizes any universal right to migrate across boundaries. Many nations, including this one, recognize the right to *leave* a nation, but none recognizes the right of outsiders to *enter* their own nation. This may or may not be appropriate, but it is clearly the case, and it is useful to open any conversation about illegal aliens with that understanding.

U.S. immigration law recognizes three classes of aliens (persons born outside this Nation to non-U.S. citizen parents). These classes are:

- *immigrants:* persons who may spend the rest of their lives here, who may move about the Nation and the labor market freely, and who may apply for citizenship.[1]
- *nonimmigrants:* persons admitted to the Nation for a finite period of time and for a finite purpose, such as to be a diplomat, a tourist, or a student.
- *illegal migrants:* persons who have either entered the country without inspection (i.e., by avoiding the ports of entry) or who entered legally, as an immigrant or a nonimmigrant, and who have subsequently acted in such a manner as to drop out of legal status.

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[1] A subgroup, and less privileged class, among the immigrants are conditional entrants and parolees, two roughly parallel classes among the refugees, which Julia Taft has just discussed.

People from the Pacific and Asia in the third category are the subject today. Most of them—unlike the undocumented Mexican migrants we hear so much about—came to this country *with* documents, usually a nonimmigrant visa. Subsequently, they have either stayed beyond the date that they were supposed to leave, or they have violated the terms of their visas, usually by working when they are not supposed to do so. The Immigration Service calls such persons visa abusers.

A small subgroup of the illegal aliens from Asia did not arrive with visas; they, to use the INS term, entered without inspection (hence EWI). While some members of this group crossed the border from Canada or Mexico, most of them are deserters from merchant ships or Chinese shipjumpers.

II. The Illegal Alien Population

Who are the illegal aliens from Asia and the Pacific? How many are there? We do not know very much about the illegal alien population generally, and our knowledge of this subgroup is not substantial. This is partially the case because it is hard to secure useful data on any underground population; and it is partially so because what little energy has been spent on subgroups among the illegal aliens has been devoted to larger subgroups, particularly those from Mexico.

Let us turn to one small segment among the Asia-Pacific illegal aliens—those who have been apprehended by INS. It should be borne in mind that the number of persons enforcing the law within the boundaries of the Nation is very small, less than a thousand agents, a smaller police force than the one that guards those buildings on Capitol Hill. And the force is getting smaller. Most illegal aliens are caught as they cross the U.S.-Mexico border, so it is a very unlucky Asia-Pacific illegal alien who falls into the hands of INS, as table 1 shows.

The total number of such illegal aliens apprehended by INS has varied in this decade from about 9,500 to about 16,000, and those numbers, along with interior apprehensions, generally have fallen in recent years. It should also be noted that, because of the rapid rise in apprehensions (that is, arrests) along the U.S.-Mexico border, the percentage of illegals from the Asia-Pacific area has dropped from 2.8 to 1.0 percent in 1978 when, overall, there were about 1 million apprehensions of illegal aliens.

So the Asia-Pacific illegal population known to INS is relatively small—but the individual being apprehended faces a setback which can range from a nuisance to a tragedy.

What do we know about the characteristics of this unlucky group of 10,000? First, a very high percentage (for illegal aliens) have been U.S.

TABLE 1

INS Data on Apprehensions of Deportable Asia-Pacific Aliens

		STATUS AT ENTRY				LENGTH OF TIME ILLEGALLY IN U.S.**					
Fiscal year	Total all countries*	Total Asia	Visitors	Students	Other	At entry	Less than 72 hrs.	4–30 days	1–6 mos.	7 mos.– 1 yr.	Over 1 yr.
1978	1,047,687	10,149	5,009	2,969	2,752	152	770	1,448	2,534	1,272	4,553
1977	1,033,427	14,118	7,191	3,904	3,023	92	898	2,041	3,412	2,014	5,661
1976	865,534	15,905	6,821	5,018	4,066	105	1,386	1,787	3,579	2,203	6,990
1975	755,740	13,608	5,264	4,211	4,133	48	1,439	1,964	3,895	1,848	4,605
1974	780,021	11,508	4,602	3,575	3,331	52	668	1,315	3,773	2,126	3,661
1973	646,530	11,294	4,626	3,059	3,609	68	705	1,337	3,861	1,879	3,611
1972	491,403	10,429	4,695	2,596	3,138	49	723	1,426	3,907	1,727	2,712
1971	411,403	12,740	4,806	4,337	3,597	53	1,275	1,861	5,502	1,955	2,217
1970	333,396	9,439	4,072	2,664	2,703	52	730	1,159	4,505	1,281	1,868

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* Excludes nonwillful violators (D–1 & D–2 crewmen), but includes all other apprehendees from all other countries.

** Data include nonwillful violators which could not be sorted out because of unknown distribution; therefore, row totals will not equal "Total Asia" column.

students; about 30 percent year after year first entered the Nation with student visas. Secondly, about a fifth of them are identified as Chinese by INS, and about a fifth from the Philippines. (In the INS reporting system, an arcane subject which we will not explore here, only these two nations in the Pacific-Asia area are listed among the sources of illegal aliens.) Thirdly, they have been here for some time before they were caught, particularly in recent years. In FY 1970, for example, 17.2 percent had been in the U.S. for more than a year; by FY 1978, 42.4 percent had been here a year or longer.

Overall, of course, we know that they had to have a visa and an airplane ticket (or a job on a ship) to get here. They thus had leapt over a couple of obstacles on their way to this country, and they are thus substantially different from the illegal aliens from Mexico, most of whom arrive as a pedestrian, without a visa, without an airline ticket.

In a study of apprehended illegal aliens and their role in the labor market, which Marion Houstoun and I did for the U.S. Labor Department a few years ago, we interviewed 793 apprehended illegals; 75 were from the Eastern Hemisphere, and of those 39 were from Asia.[2] A separate analysis was not done for the Asians among the Eastern Hemisphere (EH) respondents, but, as a group, the EH illegals tended to be the most advantaged, the most urbanized (in their countries of origin), the best educated (with 12 years of education, very much like the U.S. average), and made more money than the other illegal aliens in our sample. Moreover, at least in our study group, their motivation for coming to the U.S. was more intellectual than economic, with 45.9 percent reporting their primary reason for coming to the U.S. was "to study," compared to 23 percent who said "to work."

Given the apparent relative rareness of apprehensions among this group, we assume that there must be a much larger population than the ever-apprehended Asia-Pacific illegal alien population, and that is the never-apprehended population. We can assume that the latter population is made up largely of visa abusers, including many ex-students, and probably contains a larger percentage of women than men among the apprehendeds (because INS investigators hate to arrest women). We also know that many of them work extremely hard, often under most unattractive conditions, in ethnic ghettos[3]; though the work is hard and their rights are few, many of them feel that they are better off now than they were in their homeland.

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[2] David S. North and Marion F. Houstoun, *The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study* (Washington: U.S. Department of Labor, March 1976).

[3] "The Sweatshop: A Penny for your Collar," *New York* Magazine, Jan. 29, 1979, p. 40.

III. The Rights of These Illegal Immigrants

Given the tight time frame today, it is necessary to touch only briefly on three clusters of rights:

- rights to due process in immigration proceedings;
- rights in the labor market; and
- rights to social services.

Generally, an illegal alien who speaks up for himself (and that is not automatic) can secure a formal hearing prior to being deported; in many cases an alien agrees with the INS suggestion that he accept something called a "voluntary departure," which means that he leaves the Nation but can reenter without prejudice.

The hearing process, particularly if the alien's lawyer wants it extended, can last for months or even years. During these delays some illegal aliens secure either a job or a relative, and thereby an immigrant visa, so the delays are not simply postponements; they allow the individual to become legal in the process. I should add in passing that there is no such hearing process in Canada—if an immigration officer rules that an alien must leave, there is no appeals procedure.

This is a complex subject, much better known to a number of Washingtonians such as Maurice Roberts, editor of *Interpreter Releases,* [4] the indispensable periodical of the immigration bar; David Carliner, author of the very useful ACLU handbook, *The Rights of Aliens,* [5] and Sam Bernsen, former General Counsel of INS. It is also a subject covered in a publication of your New York State Advisory Committee, *The Forgotten Minority: Asian Americans in New York City.*[6]

I can, however, make a knowledgeable contribution about my field of particular interest, the labor market. While it is quite true that illegal Asia-Pacific aliens are often exploited in the labor market, often by their own countrymen, and while it is often true that they are too worried about being apprehended to seek their labor market rights, it is also true that illegal aliens have a (to some) surprising array of rights in the labor market. I hasten to add that this is not because the government has suddenly become concerned about them as a subpopulation, but because there are certain obligations which employers have vis-a-vis all their employees, whoever they are. I will cover a few specifics:

- *Social Security.* All work, and all workers (with very few exceptions), are covered by this program. The employer must make a contribution (a tax) and withhold the same amount from the worker's check. An illegal alien who is old enough, or who is disabled enough, can collect social security, despite illegal status. This is not generally known, and many illegal aliens probably do not file when they are eligible to do so.

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[4] An information service on immigration, naturalization and related matters published in Washington, D.C., by the American Council for Nationalities Service.

[5] New York: Avon Books, 1977.

[6] November 1977, pp. 16–18, and subsequent footnotes. (A useful summary of the rights of all aliens, legal and illegal, can be found in "Staff Report of the Interagency Task Force on Immigration Policy" (Washington: Departments of Justice, Labor, and State, forthcoming, Chapter X.)

- *Minimum Wage.* A covered employer is required to pay minimum wage, currently $2.90 an hour, and overtime (usually) to all workers, regardless of their status.
- *Workers' Compensation.* Similarly, workers' compensation is required of all employers, and I know of no State law which would relieve an employer of this obligation if the workers were illegal.

On the other hand, while an employer is required to make *unemployment insurance* tax payments for all workers, legal and illegal, the unemployed illegal alien, if known as such, is not eligible for unemployment insurance benefits on the grounds that he is not able and available (legally) for work.

Clearly, the practical value of these coverages is more important for an alien who has nothing to lose by coming forward; thus, the illegal alien who is either seeking to change his status, or is already in the throes of deportation, is more likely to assert his rights than one who remains underground.[7]

Moving to the social services arena, we find that the rights of illegal aliens are much more limited than in the labor market because they, as individuals, are seeking funds or services from the State.

In income transfer programs other than social security, such as aid to families with dependent children, supplemental security income, food stamps, and WIC, one generally must be in the Nation "under color of law," i.e., either a citizen, a permanent resident alien (legal immigrant), or a refugee to be able to receive these benefits. The same is true for medicaid and public housing. But in all of these instances, the actual ability of an illegal alien to secure these benefits depends on the reaction of the intake workers; some are much more alert than others. Some programs, such as some of those for migrant and seasonal farmworkers, deliberately do not ask legal status questions which might cause the worker to lose his rights.

In the field of education, we have a number of interesting court cases moving toward the U.S. Supreme Court, which, though they relate directly to Mexican illegal immigrants, will offer precedents for Asia-Pacific illegal youngsters as well. The Texas State courts have ruled that illegal alien children must pay nonresident tuitions, while the U.S. district court judge in East Texas, hearing a comparable case, has ruled in the opposite direction.

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[7] For more on this, see David S. North and Allen LeBel, ***Manpower and Immigration Policies in the United States*** (Washington: U.S. Commission on Employment Policy, February 1978), pp. 144–46.

IV. What Will Become of Them?

Being an illegal alien, as we suggested at the outset, is a volunteer activity, but it is often a transitory one. There are a variety of possible fates for today's illegal aliens:

- They can leave the country voluntarily and either stay away or seek to return (legally or illegally).
- They can be deported (or otherwise expelled).
- They can stay here in illegal status for the rest of their lives (worrying about deportation, to be sure).
- They can go to court against INS, hoping to reverse an unfavorable ruling or secure delay until they can legalize their status.
- They can secure legal nonimmigrant status as a student, an employee of an international organization, or a foreign journalist, for example.
- They can secure an adjustment to immigrant status, and, until recently, a few of the younger ones could become citizens by enlisting in the Armed Forces. This is no longer the case.

The Carter administration has proposed a two-level legalization program for illegal immigrants; briefly, it recommended to Congress that aliens in the country since January 1, 1970, should be given a permanent resident alien status, and those who came to the Nation since 1970 but before January 1, 1977, should be given "temporary resident alien status," which would allow the individuals to work in the U.S. and to cross the borders legally, but not to use the status to bring in their families, nor to take advantage of tax-supported programs (not further defined). Interestingly, there was an exception within the temporary resident alien status, one that was not remarked upon at the time. This was the exclusion of former foreign students from the latter status. This provision would be differentially disadvantageous to Asia-Pacific illegal immigrants, since many of them arrived as students.

Immigration Issues—Policy, Impact, And Strategies

by Dorothy L. Cordova*

Introduction

Today the United States is in the midst of a rapidly changing scene. People of different races and cultures are coming to our country in unprecedented numbers—enriching this pluralistic society we call—AMERICA.

> In the past 10 years, an estimated 10 million newcomers have arrived in this country, most of them from nations that once had little representation on these shores. Because Congress has removed immigration quotas that used to discriminate against Third World countries, newcomers are flocking here from impoverished regions of Asia, Latin American and the Caribbean.[1]

Asian/Pacific people constitute the fastest growing population in the United States today. Allowed only token numbers of immigrants a mere 15 years ago, since 1965 Asian countries are annually surpassing in numbers the European nations which once sent hundreds of thousands or millions of their citizens to America (table 1). Immigration has been the lifeblood of the United States. Except for Native Americans, every one of us in this country is either a recent immigrant or the descendent of a person who came to start a new life here.

Since the 16th century people from Europe and other parts of the world came to the colonies in search of personal, religious, and political freedom; adventure; jobs; or a better life for themselves and their families. After the Revolutionary War, European immigration to the newly formed United States began as a trickle and soon swelled tremendously, especially during the latter part of the 19th century and the first part of the 20th. Immigration rates then rose and fell over the next 30 years—partly because of restrictions by Congress, two world wars, several "police actions," and political upheavals in other countries (table 2).

One must ask why people leave family and friends, a homeland, familiar foods, customs, and a way of life. What "*pushes*" away citizens from the mother country and what in the receiving country "*pulls*" people from all over the world towards it? Is the magical, magnetic pull of the United States and the hope it held and still holds out to

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[1] *U.S. News and World Report*, Feb. 20, 1978, p.28.

TABLE 1

Countries Sending the Most Immigrants to the United States

1965			1976		
1.	Canada	38,327	1.	Mexico	57,863
2.	Mexico	37,969	2.	Philippines	37,281
3.	United Kingdom	27,358	3.	Korea	30,803
4.	Germany	24,045	4.	Cuba	29,233
5.	Cuba	19,760	5.	China/Taiwan/ Hong Kong	24,559
6.	Colombia	10,885	6.	India	17,487
7.	Italy	10,821	7.	Dominican Republic	12,526
8.	Dominican Republic	9,504	8.	United Kingdom	11,392
9.	Poland	8,460	9.	Portugal	10,511
10.	Argentina	6,124	10.	Jamaica	9,026
11.	Ireland	5,463	11.	Greece	8,417
12.	Ecuador	4,392	12.	Italy	8,380
13.	China (Taiwan)	4,057	13.	Canada	7,638
14.	France	4,039	14.	Thailand	6,923
15.	Haiti	3,609	15.	Colombia	5,742

Source: U.S., Immigration and Naturalization Service, *Annual Reports*, 1965 and 1976.

literally millions of people over the 200 years a real thing for everyone or only a reality for a chosen few?

This paper will consider briefly immigration of Asians to the United States and will examine more closely what is presently happening to them. This paper will attempt to show how recent immigration has impacted the country and is now changing the socioeconomic levels of Asian Americans. Furthermore, it is necessary to identify and to describe the target population of this consultation and to point out specific obstacles which prevent Asian/Pacific people from full participation in our society.

The changes occurring within the past decade make it imperative for the United States Government to reassess existing general and specific information about Asian/Pacific people because research data gathered in previous collections are now outdated owing to the rapid increase of immigration and the subsequent surfacing of new problems.

Case studies from several research projects on Asian/Pacific peoples and interviews with some individuals will be given as a basis of comparison between what is needed and what is actually being offered by government agencies, private organizations, and educational institutions.

Lastly, I will offer a number of recommendations, suggested by individuals and community-based Asian/Pacific agencies or organiza-

TABLE 2

Immigrants Admitted by Country or Region of Birth, Years Ending June 30, 1820–76

	1820–50	1851–00	1901–30	1931–76	Total
Europe					
Austria	—	3,164,661	486,517	123,757	4,313,578
Hungary	—		473,373	57,474	
Belgium	5,124	57,037	91,227	47,888	201,276
Denmark	1,791	190,977	139,698	30,892	363,358
France	131,725	265,784	184,886	162,557	745,032
Germany	594,809	4,415,739	897,645	1,054,869	6,962,762
England	55,540	1,768,464	795,381	531,562	3,150,997
Scotland	9,559	358,671	238,258	91,337	818,224
Wales	1,616	40,460	43,583	9,195	94,854
Greece	85	18,600	402,804	218,611	640,100
Ireland	1,042,438	2,830,666	705,837	141,713	4,721,654
Italy	4,562	1,035,917	3,610,716	628,822	5,280,017
Netherlands	10,790	116,891	118,923	110,811	357,420
Norway	36,129	438,555	325,431	55,587	855,702
Sweden		771,631	441,857	53,257	1,270,705
Poland	495	164,741	249,573	91,895	506,670
Portugal	1,559	62,281	188,875	172,145	424,860
Romania	—	19,098	133,965	14,683	167,757
Spain	6,950	34,411	125,504	58,703	24,243
Switzerland	12,722	189,757	87,689	57,263	347,431
USSR	917	760,825	2,580,249	21,203	3,363,194
Other Europe	122	1,818	31,759	21,159	54,858
Asia					
China	46	305,409	71,790	123,534	500,759
India	84	612	8,681	118,327	127,704
Japan	84	28,489	247,096	121,750	397,393
Turkey	87	34,825	325,259	23,371	384,542
Other Asian	15	5,808	30,002	1,014,029	1,049,924
America					
Canada & Newfoundland	57,833	993,442	1,845,926	1,156,158	4,063,359
Mexico	14,688	13,261	727,933	1,230,434	1,986,400
West Indies	29,827	95,771	305,871	1,057,646	1,489,125
Central America	519	1,654	41,120	232,197	275,490
South America	4,977	7,128	101,394	523,774	637,273
Africa	126	2,087	22,097	117,801	112,111
Australia	—	19,659	36,622	60,998	113,299
Pacific Islands	—	9,846	2,555	13,874	24,275

Source: U.S., Immigration and Naturalization Service, *Annual Report 1976,* table 13.

tions, which are intended to alleviate existing socioeconomic problems of Asian/Pacific immigrants.

Reason to Identify Correctly

Much of the previous data on Asian Americans and Pacific Island peoples had been amassed haphazardly by data gathered with little background or sensitivity about these racial minorities. In 1970 a report investigating the civil rights enforcement efforts of Federal agencies was released by the United States Commission on Civil Rights. *This report showed quite graphically that insufficient information on racial and ethnic minorities had been catalogued by Federal agencies. Consequently, very little data were available to assess whether or not Federal programs were benefiting minority groups, and if so, to what extent.*

According to the report, "racial and ethnic data are essential tools with which to combat discrimination and to plan and monitor affirmative action which would remedy past racial wrongs."[2] The report further points out that gathering and analyzing these important bits of information are the "most effective and accurate means of measuring federal program impact on minority beneficiaries and for assuring that equal opportunity policies are working effectively."[3]

At this point, it is essential to define what constitutes a minority group. It is commonly acknowledged that minorities constitute a "group or persons distinguished by race or ethnic origin, who share common ancestry, physical characteristics, cultural background and experience and who, because of overt discrimination and institutional barriers, are denied equal access to social, economic, and political opportunities, and/or who continue to suffer the effects of past discrimination."[4] The reader must bear this definition in mind because it will help to explain why the present employment of many immigrants—both male and female—is not equivalent to their educational attainment. Many Asians have been excluded from or not considered for Federal programs designed to uplift minorities educationally and financially. This exclusion often comes about because of a dearth of accurate and viable information about Asian/Pacific problems. *Consequently, planners and designers of programs are able to plead that no existing data proves no dire need. Therefore, in their opinion, there is no reason to include Asians or Pacific Island people in future or existing helping programs.*

This writer has had some experience with the compilation of fresh and important information on problems facing specifc Asian/Pacific groups—which the Federal Government proceeded to disregard as inconsequential because the numbers of people affected were miniscule when compared to the U.S. population at large. This rationale has been a source of frustration for many Asian/Pacific community workers who daily see a variety of deep-rooted, unresolved problems.

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[2] U.S., Commission on Civil Rights *To Know or Not to Know* (1973).

[3] Ibid.

[4] Op. cit.

Definitions of Asian/Pacific People

Within the past few years there have been positive changes in the methods of categorizing the peoples of the United States according to ethnic and racial background. Old Federal, State, and local government records, listing, etc., show outdated subdivisions categorized simply as white, black, and others.

In response to well-founded protestations, classifications were gradually adjusted to include other groups—the Spanish surnamed, "Orientals," Native Americans, and others.[5] The reclassification was an improvement, yet other specific and rapidly growing minorities who did not fit technically into the first three categories were still excluded. This was especially true of Filipinos, who by virtue of their last names would often be thrust into the "Spanish surname"[6] camp or who because of the geographical location of the Philippines, were considered "Oriental" but were not really that in origin or heritage.

In either case, this method proved to be a great disadvantage to Filipinos who would be counted by either group, but who would rarely, if ever, become beneficiaries of any programs specifically designed to benefit "Spanish surname" or "Oriental" peoples. Furthermore, you will find that some of the other less known and often left out minorities began to assert themselves and to demand that the government create additional classifications by which their own ethnic identity could be recognized.

Consequently, you will find today a better method by which different ethnic and racial groups are designated. Classifications now include: white, black, Asian, Spanish-speaking, native American, Pacific Islanders, and others.[7] The Asian group encompasses Japanese, Chinese, Filipino, Korean, Vietnamese, Cambodians, Laotians, Thais, and East Indians. Although some *Asian purists* have the tendency to exclude the latter, in this paper I will include information on East Indians, whenever possible, as a matter of justice and personal preference.

The Asian group also includes other people whose existence has often been overlooked. These are Pacific Island peoples—Samoans, Guamanians, Hawaiians, and Tongans. *Thus, one can see the logic of*

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[5] U.S. Equal Employment Opportunity Commission, 1972.

[6] U.S. Commission on Civil Rights, *Counting the Forgotten* (April 1974) p. 73.

[7] U.S., Equal Employment Opportunity Commission, 1974.

putting together Asian/Pacific people into a single all encompassing category, for while this "marriage" may not be completely satisfactory to all those concerned, it is, nonetheless, the best possible union—at least for the present, because the combined totals of all the aforementioned ethnic groups are now rather substantial.

It is imperative, however, to identify each Asian group separately and to recognize that each has unique problems and that the magnitude of their problems will be different in various part of the Nation.

Two separate reports and studies on ethnic minorities in California[8] and in Washington State[9] during the 1960s demonstrated graphically there were different socioeconomic levels for the Japanese, Chinese, and Filipinos in the two States during that period. For example, although the Japanese and Chinese often ranked above the whites in *educational attainment* and were second and third in *income* in California and Washington, the Filipinos were usually at or near the bottom in both categories. More recent studies indicate that, although these Asian groups experienced great demographic changes because of recent immigration, the disparity among the Asian groups has basically remained the same in most of the socioeconomic categories.

Demographic Information

Although Japanese are the largest Asian American group, they have one of lowest rates of immigration today. The 1970 United States census[10] placed their population at 591,290, and when the subsequent immigration figures[11] are added their number is increased to 620,495 (table 3).

In 1970 Chinese were the second largest group with 431,583. Since then their numbers have greatly increased by an additional 179,503 immigrants from Taiwan and Hong Kong.

During the past census count, Filipinos were third numerically—343,060. A study by Canta Pian on the socioeconomic characteristics of Asian Americans, stated that if immigration figures in the '70s for Japanese, Chinese, and Filipinos continued at the same existing rate, by

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[8] State of California, Department of Industrial Relations, Division of Fair Employment Practices, *Californians of Japanese, Chinese and Filipino Ancestry—Population/Employment/Income/Education* June 1965.

[9] Calvin F. Schmid, Charles Nobbe, Arlene Mitchell *Non-White Races—State of Washington* For Washington State Planning and Community Affairs Agency. 1968.

(Both reports demonstrated that Filipinos in the '60s ranked way below Japanese and Chinese in education, income, and types of jobs.)

[10] U.S., Bureau of the Census, *1970 Census of Population Subject Reports: Japanese, Chinese and Filipinos in the United States*, PC(2)-1G.

[11] U.S., Immigration and Naturalization Service, *Annual Reports (1970-75)*.

TABLE 3

Asian Population and Immigration, 1970–78

	1970 U.S. CENSUS	Number of immigrants admitted							Refugees		Total population
		1970	1971	1972	1973	1974	1975	1976**	1975	1976–1978	
Nationwide											
Chinese	431,583	14,093	14,417	21,730	21,656	22,685	23,427	31,116	—	—	611,086
Filipino	343,060	31,203	28,471	29,376	30,799	32,851	31,751	47,019	—	—	599,662
Japanese	591,290	*	4,457	4,757	5,461	4,860	4,274	5,396	—	—	620,495
Koreans	70,000	9,314	14,297	18,876	22,930	28,028	28,362	37,690	—	—	257,525
Vietnamese	—	1,450	2,038	3,412	4,569	3,192	3,039	4,230	128,705	122,000	272,635
Washington State											
Chinese	9,376	299	251	360	385	324	407	788	—	—	12,090
Filipino	12,462	877	750	662	759	738	820	1,270	—	—	18,338
Japanese	20,355	*	*	*	*	131	*	*	—	—	20,466***
Korean	1,738	228	327	339	468	721	771	1,196	—	—	5,788
Vietnamese	*	*	*	*	*	*	*	*	4,283	1,250	6,000
Seattle											
Chinese	6,261	158	150	214	198	210	252	369	—	—	7,812
Filipinos	5,830	340	473	410	502	444	464	686	—	—	9,149
Japanese	9,986	*	*	*	*	60	*	*	—	—	10,046***
Korean	475	72	327	121	152	220	204	294	—	—	1,865
Vietnamese	—	*	*	*	*	*	*	—	*	(2,000)	2,000
King County											
Chinese	7,703	230	150	275	238	274	328	544	—	—	9,342
Filipino	7,117	540	520	500	595	556	612	1,162	—	—	11,602
Japanese	13,429	*	*	*	*	75	*	*	—	—	13,504
Korean	1,738	128	170	156	210	313	374	534	—	—	3,623
Vietnamese	—	*	*	*	*	*	*	*	1,448	2,002	3,500

* No numbers indicated for these years.

** 5 quarters-July 1, 1975 through September 1976.

*** Total number lacks figures for years indicated by (*).

the 1980s Filipinos will become the most populous Asian group in the United States;[12] 256,602 Filipinos have immigrated to this country since 1970.

Koreans, fourth in number, are now the fastest growing and one of the most overlooked ethnic minorities in this country. Their population figures of 257,525 reflect an increase of over 300 percent above the 1970 census numbers and this is due primarily to the recent heavy immigration from Korea.

Cambodians and Thais were not listed as separate groups in 1970, however, the Immigration and Naturalization Service annual reports enumerate their numbers each year. Although the total number in the past 10 years seems low, it must be remembered people from each country were living here prior to 1965.

Within the past 12 years, immigration figures show that 145,000 from India had applied for permanent residency in this country. Approximately 45 percent of these were classified as "professional, technical or kindred workers."

Guamanians and Samoans constitute yet another demographic problem. It is possible to use current census counts as a basis for the Guamanians, however, there is a difficulty in determining the exact numbers of American Samoans presently in Hawaii and the continental United States. Their numbers become hazy and fluctuate according to different sources. It is estimated that 35,000 to 45,000 live in California. The figure given for Samoans by the same source estimates their number between 45,000 and 50,000 on the west coast.[13] It is generally acknowledged that these numbers may be too low.

Indochinese refugees made a most traumatic and dramatic entry into the U.S. during the spring of 1975. Within a span of 1 month of that year more than 120,000 Vietnamese and Cambodian refugees were processed as "refugee parolees" into the United States.[14] Prior to this, approximately 18,000 were already here as permanent residents since 1971. A more recent DHEW/Task Force released figure given for the Indochinese refugees (Cambodians, Laotians, and Vietnamese) is over 250,000.[15]

Within the past 10 years the numbers of immigrants and/or nationals from Asia and Pacific Island nations has increased greatly. Since these are usually younger people, their numbers will naturally increase even more through inevitable births. Thus, this growth will affect the

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[12] Canta Pian, *Study of Selected Socio-Economic Characteristics of Ethnic Minorities Based on the 1970 Census/Volume II: Asian Americans*, a study conducted for the Office of Special Concerns (DHEW), July 1974, p. XII.

[13] California Advisory Committee to the U.S. Commission on Civil Rights *Asian Americans and Pacific People: A Case of Mistaken Identity*, (February 1975), pp. 31, 53.

[14] U.S., Immigration and Naturalization Service, *Annual Report*, 1975.

[15] Paul Nguyen, Indochinese Resettlement Program, Seattle, Wash.

TABLE 4

Asian American Population by State, 1970 and 1975

State	CHINESE 1970 census	CHINESE Total 1975	FILIPINO 1970 census	FILIPINO Total 1975	JAPANESE 1970 census	KOREAN Immig. 1969–75	INDIAN Immig. 1969–75
Arizona	3,739	4,501	1,253	1,847	2,530	878	271
California	170,049	195,373	135,243	192,067	213,277	27,301	9,549
Colorado	1,605	2,082	1,207	1,643	7,861	1,734	434
Washington, D.C.	2,767	3,872	1,508	2,354	716	931	1,284
Florida	3,040	4,503	4,748	7,022	3,968	1,975	1,212
Georgia	1,327	1,884	1,186	1,827	1,334	2,001	660
Hawaii	52,583	54,876	95,680	112,608	217,175	6,244	108
Illinois	14,077	18,098	12,354	26,160	17,645	8,365	9,852
Maryland	5,961	7,926	4,833	6,849	3,637	7,994	2,908
Massachusetts	14,018	16,454	1,855	2,977	4,715	1,812	2,630
Michigan	6,611	8,252	3,449	6,625	5,464	3,802	3,979
Minnesota	1,992	2,574	1,300	2,233	2,693	2,895	889
New Jersey	8,755	12,008	5,323	10,167	6,344	5,190	7,598
New York	81,903	100,865	14,045	25,735	10,794	13,579	21,517
Ohio	5,263	7,167	3,732	6,520	5,890	3,795	4,542
Oregon	4,774	5,632	1,466	2,272	6,213	1,264	231
Pennsylvania	7,097	9,248	4,731	7,553	5,417	5,517	5,209
Virginia	2,407	3,865	7,218	10,380	3,396	4,874	1,486
Washington	9,376	11,074	11,488	15,162	20,188	3,010	676
West Virginia	266	2,657	704	1,874	2,949	1,166	815

overall picture in these United States, for many of the new immigrants are not only settling in the traditional bailiwick of Asians, i.e., California, Hawaii, Washington, New York, and Illinois, but we also now see large concentrations of Asians in Massachusetts, Michigan, Pennsylvania, and New Jersey (table 4). This growth and the spread throughout the United States makes it imperative for authorities to become aware of what is occurring and to begin to meet the emerging needs of the Asian/Pacific immigrants.

Immigration Impact

Prior to 1965 the United States immigration laws were restrictive and instrumental in preventing Africans, Asians, and Latin Americans from entering this country in significant numbers. Southern and Eastern European countries were also allotted smaller quotas than the nations of Northern Europe. However, on October 3, 1965[16] laws regulating the flow of people to the U.S. were altered to allow up to 20,000 each year from Eastern Hemisphere countries[17] to become permanent residents. The effect has been rather startling (tables 5 and 2) especially when one considers that since *1965 there has been an increase of 532 percent from Asia, compared to a 39 percent upsurge from*

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[16] U.S., Immigration and Naturalization Service *Annual Reports.*

[17] Africa, Asia, and Europe comprise the Eastern Hemisphere countries.

Latin America, a 53 percent increase from Southern and Eastern Europe, and a 73 percent decrease from Western Europe and Canada. [18]

In an article published in 1975, the Asian immigraton since 1965 was referred to as a phenomenon in this country. *During the first half of the century Asians made up less than 4 percent of the total U.S. immigration.*[19] *During 1978 they constituted one-third of the total number entering as permanent residents* .

The importance of this immigration increase is realized when one considers that *at a time when the U.S. birthrate has declined there has been a tremendous increase in immigration, espeically from Asia.* According to the *U.S. News and World Report* "one new American in five is now an immigrant"[20] and one out of three of these is an Asian.

Other major impacts have been felt because of the immigration increases, and these have been manifested by additional laws introduced in Congress which directly affect recent immigrants.[21]

A 1973 Supreme Court decision *Lau v. Nichols* [22] and a relatively recent judgment by the Office for Civil Rights against certain school districts throughout the United States,[23] concerned the rights of immigrant children.

The upsurge of immigration from Asian countries has not only caused population increases but has also altered the socioeconomic circumstances of Asians in this country. When one compares and analyzes recent immigration information with data collected much earlier, a number of changes will be noted. One major development has been the dramatic increase of Asian women to men in all the Asian groups. This is caused by the predominance of Asian females entering the United States as permanent residents (table 6). And while the majority of Asian immigrants still settle in the Far West, increasing numbers have made their homes in other parts of this country. Moreover, recent immigration figures show recent arrivals continue in large urban areas, especially Honolulu, Los Angeles, San Francisco, New York, Chicago, Detroit, San Diego, and Seattle (table 4)

When checking out economic and occupational levels for different ethnic groups, it is important to note that individuals with certain skills are drawn to certain parts of the country. For example, the majority of Filipino immigrants settling in the East are young and highly educated

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[18] *U.S. News and World Report*, Oct. 13, 1975, p. 71.

[19] Ibid.

[20] Op. cit.

[21] The Rodino bill is designed to penalize employers for hiring illegal aliens. Many community people worry that the bill could also serve to restrict immigration from the Western Hemisphere (i.e. Latin America).

[22] Lau v. Nichols case, Supreme Court 1973 ruling on behalf of 1,800 Chinese Americans in San Francisco found that "those who do not understand English are certain to find their classroom experience wholly incomprehensible and in no way meaningful."

[23] U.S., Department of Health, Education, and Welfare, Office of Education, 1975 (noncompliance to provide equal educational opportunity to national origin minority group students)

TABLE 5

Immigrants Admitted From Asia to the United States (Years ending June 30, 1965, through 1976)

	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976***	Total
China & Taiwan	4,057	13,736	19,741	12,738	15,440	14,093	14,417	17,339	17,297	18,056	18,536	23,857	189,307
Hong Kong	712	3,872	5,355	3,696	5,453	3,205	4,391	4,359	4,629	4,629	4,891	7,259	51,429
India	582	2,458	4,642	4,682	5,963	10,114	14,310	16,926	13,124	12,779	15,773	22,056	123,409
Japan	3,180	3,394	3,946	3,613	3,957	4,485	4,457	4,757	5,461	4,860	4,274	5,396	51,780
Korea	2,165	2,492	3,956	3,811	6,045	9,314	14,297	18,876	22,930	28,028	28,362	37,690	177,966
Philippines	3,130	6,093	10,865	16,731	20,744	31,203	28,471	29,376	30,799	32,857	31,751	47,019	289,039
Vietnam*	226	275	490	590	983	1,450	2,038	3,412	4,569	3,192	3,039	4,230	24,494
Other**	6,631	9,112	12,451	13,128	17,074	20,361	22,266	25,981	22,621	26,261	25,843	9,518	211,249
Total Asia	20,638	41,432	61,446	58,989	75,659	94,883	103,461	121,058	121,160	130,662	132,469	155,025	1,118,673

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* Does not include Vietnamese refugees entering the U.S. during 1976.

** Other countries include Indonesia, Iran, Iraq, Israel, Jordan, Lebanon, Ryukyu Islands, Syria, Thailand, and other Asia.

*** For five quarters, July 1, 1975, through Sept. 30, 1976.

Source: These figures are derived from table 14 in the Immigration and Naturalization Service *Annual Reports*, 1965 through 1976.

TABLE 6

Immigration of Asian Females, 20 to 50 years of age, 1965–75

	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	Total
China & Taiwan	12,469	6,300	6,149	6,017	6,416	5,551	5,247	5,280	4,177	5,902	3,796	1,242	56,077
Hong Kong	3,719	850	765	716	610	501	466	481	499	563	245	154	5,850
India	10,585	5,700	4,686	5,007	5,754	4,203	2,976	1,827	1,491	1,337	635	166	33,782
Japan	3,443	2,200	2,813	3,235	2,828	2,839	2,775	2,507	2,203	2,389	2,204	2,378	28,461
Korea	23,218	8,600	9,805	8,127	7,415	6,315	4,439	3,000	1,913	1,980	1,358	1,259	54,211
Philippines	28,249	11,200	11,371	11,466	11,774	12,609	11,905	8,092	6,725	4,313	2,452	1,504	93,411
Vietnam**	2,543	1,250	1,545	2,468	2,088	1,440	843	539	327	266	130	—	10,096
Total	84,226	36,110	37,134	37,036	36,885	33,458	28,651	21,726	17,425	16,750	10,820	6,703	281,888

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* Five quarters, July 1, 1975–Sept. 30, 1976.

** This figure does not include Vietnamese refugees entering the U.S. during 1975.

Source: Information taken from table 9 of the annual reports of the U.S. Immigration and Naturalization Service for the years 1965 through 1975.

professionals, e.g., medical doctors, registered nurses, accountants, engineers, etc. Towns and cities close to military bases have an immigrant population directly concerned with or related to people in the Army or Navy, e.g., San Diego, Pittsburgh (California), and Tacoma, Washington. However, although some of the recent Filipino arrivals in Hawaii are also highly educated, many others have no more than a high school education and are usually doing a laborer or service worker's job.[24]

When scrutinizing immigration figures for the past 10 years, one becomes aware of the different types of major occupations listed for incoming immigrants from Asia (table 7). Professionals makeup a high percentage of all people coming from Asian countries, especially India and the Philippines. More professionals come from the Philippines than from any other single country in the world.[25]

The majority of recent Asian immigrants entered the U.S. as immediate relatives of American citizens[26] or as permanent resident aliens. They came from all walks of life and for a variety of reasons, some "in order to give their children opportunities they never had in China, such as free education, open job opportunities and a democratic way of life."[27] Still others who have been highly trained, came to American to take advantage of work opportunities not offered in their own countries and thus improve their economic condition. Many immigrants have fled from political unrest while others were seeking the economic stability that eluded them in their own country. All left behind family, friends, and a way of life to gamble for a better life in these United States. Kung Hong Park, the Korean outreach worker for the Demonstration Project for Asian Americans (DPAA), works with recent immigrants to this country. He says that they came "to live in the land of dreams and abundant opportunity, to start a new life for their own and future generations."

Impact

Changes in Educational Levels

According to the 1970 census, Japanese females have more education than most American females. Moreover, the gap between college-educated Japanese and other males is double. The census of that year also showed an 8 percent difference between Chinese males and

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[24] Artemio Baxa, *A Report on Filipino Immigration and Social Changes in Maui County,* Project on the county of Maui with cooperation of Maui Economic Opportunity, Inc., and the State of Hawaii Law Enforcement and Juvenile Delinquency Planning Agency, Mar. 15, 1973.

[25] U.S., Immigration, Naturalization Service *Annual Reports.*

[26] Immediate relatives are unmarried minor children, spouses of U.S. citizens, and parents of adult U.S. citizens.

[27] Pei-Ngor Chen, "The Chinese Community of Los Angeles," *Social Case Work* magazine, December 1970, p. 593.

TABLE 7

Occupational Distribution of Asian Immigrants, 1965–75

Country of birth	Total Immigration 1965–75	Professional, technical, and kindred workers	Managers, officials, and proprietors	Clerical and kindred workers	Craftsmen, foremen, and kindred workers	Private household workers	Service workers	Housewives, children, and others with occupation not listed or with no occupation
China & Taiwan	165,450	30,287	7,814	6,483	3,805	2,340	14,629	85,895
Hong Kong	44,426	2,585	534	1,982	245	207	667	32,024
India	101,353	45,968	1,176	2,293	992	274	803	47,599
Japan	46,384	4,918	1,904	1,582	572	432	2,071	34,421
Korea	140,276	20,285	3,747	2,661	4,595	1,018	2,279	98,985
Philippines	242,020	66,549	3,699	7,780	3,455	6,501	3,877	137,517
Vietnam	20,264	861	121	399	43	52	152	16,672

Source: Compiled from table 8 of the U.S. Immigration and Naturalization Service *Annual Reports*, 1965 through 1975. Occupational groups not listed: salesworkers, operatives and kindred workers, farm laborers, and laborers.

females in the attainment of 4 or more years of college. Interestingly enough, between the ages of 25 to 44 years, more foreign-born than American-born Chinese males had 15 or more years of schooling while U.S.-born Chinese females had more education than Chinese immigrant women.

Among Filipinos in the United States, a greater percentage of women have completed high school (male–49 percent and female–65 percent). Furthermore, the percentage of Filipina women with 4 or more years of college is twice that for the Filipino male. This is an indication of the high educational attainment of recently arrived immigrant women while the elderly Filipino males—who still constitute a great proportion of the total Filipino male population—lacked the opportunities to achieve even a high school education when they came 40 or 50 years ago. Interestingly enough, however, in areas with few new immigrant women—Hawaii and rural areas of California—the educational level for Filipinas[28] is much lower. Only about half have completed high school and approximately one-third of the women have only an eighth grade education.[29]

The above figures reflect the national picture, but one must be aware that the educational attainment for the different immigrant groups will vary from city to city and from State to State. For example, in the fastest growing area for Chinese—New York's Chinatown—the median for schooling completed is 8.0 years for males and for females, only 6.8 years.[30] It is important to note that among Chinese women—because of immigration—the average of the women who have finished college is higher nationally in cities with the greatest population concentration of Chinese females, namely, New York and San Francisco.

A published article cites that "many of the Chinese citizens in San Francisco still cannot speak the English language. . .of 62,820 male Chinese interviewed in the last census (1970), 9,430 completed no school and 7,825 go through high school. Of 27,795 females interviewed, 3,980 had completed no school and 6,480 had gone through high school."[31] On the whole, "Korean war brides are less educated than the Japanese war brides. One-third of the Korean war brides had a high school education or less; whereas, two-thirds of the Japanese had a high school education or less. However, one-third of the population of either group pursued training of any kind in the United States, i.e, English, technical/vocational, adult education or college."[32]

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[28] Filipino women.

[29] Canta Pian, *A Study of Selected Socio-Economic Characteristics of Ethnic Minorities Based on the 1970 Census: Asian Americans*, pp. 66–77.

[30] Ibid.

[31] Author Unknown, *Chinatown, USA, The Unassimilated People/50,000 in a Ghetto*

The Immigration and Naturalization Service annual reports indicate a definite influx of college-educated Asians into this country. What the recent reports do not show is that a large proportion of earlier immigrants—who came as students or workers on special visas during the '50s and '60s and then remained in this country—were themselves college graduates. Herein lies the problem. Although many Asians have advanced degrees and are professionals with years of experience behind them, many of them have not been able to secure jobs commensurate to their education, skills, and experience. For these people their quest for economic and professional fulfillment in this country has been riddled with frustrations and hampered by obstacles.

Problems

Employment

There are many roadblocks preventing immigrants from obtaining suitable employment. Some of these roadblocks include lack of English communication skills, the inability to secure professional licensing and certification,[33] lack of aggressiveness and self-confidence, and discrimination in hiring practices which leads to underemployment and/or underutilization of skills.

> Despite the elevated hope and ambition they have when they came to this country, most immigrants soon find themselves confronting the frustrating situation of job hunting. Except for a few exceptionally talented and skilled persons, all immigrants find that their educational background and previous professional experiences are useless in this country. Whatever their professional achievements in the past, a chance for the continuation of their career in this country is practically nil. And they end up working as manual laborers.[34]

Lack of English Communication Skills

Although many Asian immigrants have degrees, they may lack some English communication skill(s). Often they suffer because of preconceived notions that English spoken with a non-European immigrant accent precluded full understanding of the language and the ability of the Asian to be understood by the average American. Oftentimes, experienced Asian teachers with good English verbal, reading, and writing skills are denied positions because school personnel staff deems that to hire a person with an accent—however slight—would be detrimental to the students' education. This insensitivity and shortsightedness by school administrators shows an indifference to the needs of the growing number of immigrant students from Asia who would benefit from the presence of bilingual-bicultural immigrant teachers. Classes for immigrants taught by teachers who are familiar with their language and culture are necessary, but some Asian communities do not have access to them, and some immigrants are not aware of existing programs.

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[32] Sil Dong Kim, Jong Gie Kim, and Becky Hashimoto, *Korean and Japanese War Brides*, Demonstration Project for Asian Americans, 1975.

[33] Medical doctors from the Philippines who took part in the DPAA study on health professionals experienced great difficulty in securing residency and internships in Washington State, but were accepted in the Dakotas.

[34] Kun Hong Park, DPAA Korean outreach worker.

Highly trained Asian professionals are often denied jobs equivalent to those held in their native countries because they lack English communication skills. A Chicago study on Koreans cited that "English improvement classes were desired more by persons in professional work than in any other occupational groups. This raised the possibility that the role and the position, expectations or requirement within their professions demanded better communication skills from them.[35]

Many other Asian/Pacific people are handicapped not only by the need for *basic* English but also by limited education.

> They hope to find employment soon after their arrival, but there are few jobs that do not require English as a means of communication. Handicapped by their inability to speak and to write English, they are unable to find employment. . . .and their wives, who usually have never worked outside their homes and who are not trained in any skill, must also work. . .the vicious circle continues because they don't have the time to attend school and to learn a new language to advance themselves.[36]

Some who have reasons to complain are hampered by this inability to speak English:

> As a result, they are not to penetrate into real life in this society. Their role as an individual citizen becomes semi-functional at best. They cannot satisfactorily express to their employer when they have grievances of a serious nature. When they confront police on the streets or when they stand in court to defend themselves against a charge placed against them, they feel deprived of a chance to make as good as a case as the other party.[37]

Many of the older recent arrivals from Samoa find it difficult to communicate in English. For this reason, they prefer to seek jobs where English is at a minimum. Two Seattle-based Samoan counselors admitted that, although Samoan women prefer "people oriented" jobs, being deficient in English, they will seek nonverbal jobs such as piecework in sewing factories.[38]

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[35] Bok-Lim Kim, *Service Needs of Asian Immigrants As Seen by the Ethnic Churches: Korean Example.*
[36] Pei-Ngor Chen, *The Chinese Community in Los Angeles.*
[37] Kun Hong Park.

Licensing and Certification

The inability to secure professional licensing and certfication is a major problem facing Asian professionals. Since 1965 they have been admitted to this country on a third or sixth preference[39] but many have found that State licensure procedures often impede their ability to practice their professions in many of the mainland States. This is especially true of Asian health professionals whose numbers exceed those coming from other parts of the world. It has been pointed out by the *Medical World News* that "about one-third of the graduates from the two countires now supplying us with the most FMGs—India and the Philippines—passed the ECFMG [Educational Council for Foreign Medical Graduates] examination in 1974."

The California Advisory Committee to the U.S. Commission on Civil Rights in 1975 prepared an excellent report on problems of Korean- and Philippine-educated health professionals seeking licensure in California. This report states:

> In many cases their certifications are not recognized, their experience not accepted, or their educational credentials inadequate for State licensure. For one group, foreign-educated pharmacists, the situation is more severe since they are denied entry into the licensing examinations. Lack of proficiency in the English language and inadequate public and private financial assistance for taking review and refresher courses are added difficulties.[40]

It is ironic that literally thousands upon thousands of Asian immigrants—hampered by English limitations—will not seek health care from non-Asian doctors, nurses, dentists, pharmacists, etc., except in emergencies, yet are denied the services of bilingual-bicultural health professionals from their native countries because of restrictive licensing procedures imposed by professional organizations.

Many foreign-trained nurses do receive licensing but are often exploited and discriminated against. Recently in San Francisco, California, a Philippine-trained nurse, Norma Rupisan Watson, R.N., filed a discrimination suit against the American Nurses Association (ANA), the national organization representing the vast majority of nurses in the United States. In an earlier suit she charged Affiliated

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[38] Based on interviews with Samoan counselors, Paul Patu (Seattle Public Schools) and Sapina Titialii (Employment Opportunity Center/Seattle)

[39] Third preference: members of professions or persons with exceptional ability in sciences and arts. Sixth preference: needed skilled or unskilled workers.

[40] California Advisory Committee to the U.S. Commission on Civil Rights, *A Dream Unfulfilled: Korean and Pilipino Health Professionals in California* (May 1975), p. 13.

Hospitals (California) with "discrimination against her on the basis of her race, color, and national origin by denying her tenure credit for her experience as a nurse in the Philippines." The San Francisco Equal Employment Opportunities Commission is presently conducting an investigation.

A number of the charges by Mrs. Watson are familiar to thousands of other immigrant nurses:

> Even though I and other foreign-born and-trained nurses have previous experience and training, this is not credited when we are employed and we are therefore hired at substandard wages, are not put into positions commensurate with our backgrounds, are forced to work on undesireable shifts, do not receive appropriate promotions, are not able and are not permitted to work in supervisory positions, are denied entry to the U.S.A., do not receive appropriate transfer credit from our universities to upgrade ourselves in American universities, if on H-1 visas when hospital sponsorship expires, are forced to become illegal aliens even though licensed, cannot claim Social Security benefits even though we pay them and cannot collect unemployment insurance."[41]

Mrs. Watson says that foreign nurses pay dues to the ANA which "makes illegal use of our union dues to support the Commission on Graduates of Foreign Nursing Schools (CGFNS) whose primary function is to deny entry in the U.S.A. of foreign nurses." She further claims a conspiracy with the INS, the Department of Labor, DHEW, the ANA, "all without due process of law and illegal use of taxpayers money." Foreign nurses were recruited in their home countries to immigrate to the U.S. under an H-I visa (preferred worker) to makeup for the shortage of registered nurses in American hospitals.

Underemployment and/or Underutilization of Skills

A major problem for immigrants with professional education is underemployment or the underutilization of skills they have developed through years of experience. Because they usually have limited funds and because they have to support themselves and their families in the U.S. and/or in their native country, the only alternative many of them have is to accept any type of job offered or to face unemployment or welfare:

> There are about 250 to 300 Korean workers in major shipyards in the Seattle area. Among them about 30 percent are college graduates. Many of them have impressive professional records—company presidents and managers, army generals and officers,

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[41] Norma Rupisan Watson, Philippine-trained nurse filed her suit against the Affiliated Hospitals of San Francisco in March 1979 and another against the American Nurses Association in April 1979. She was able to do this because the EEOC in San Francisco named her a true "class agent."

> university professors or school teachers, etc., back in their old country. Now they are working as welders, pipefitters and machinists, etc. A job is a necessity for livelihood and survival. This is the main reason that they cling to these "undersireable" jobs. They have little hope for moving up through the employment structure or of getting a desireable job fit to their career goals. Perhaps, the *only way to get out of this situation would be to get themselves free from being employed by others. That is why many Korean immigrants are looking to some sorts of self-employment business. Hard as it may be to start, self-employment would at least quarantee independence, freedom and dignity.*"[42]

It is not uncommon to find doctors working as medical assistants, registered nurses as aides, pharmacists and dentists as technicians, certified accountants as financial clerks, teachers as aides, engineers as draftsmen, lawyers as clerks, or any of these and other professionals as custodians or farm laborers. *The tragedy is—many of these people are resigned to their fate.*

At a hearing on discrimination against Asians, it was noted that "in the dental school there is a Filipino dentist with 13 years of practice (a graduate) from the University of the Philippines. She's an orthodontist and has been there [at the University of Washington] for 2 years making only $432. Her job title is dental assistant but she's actually making the plates."[43]

In the previously mentioned Korean Chicago study and one done at the University of Washington on Filipino staff employees similar observations were made. Most of the unskilled and white-collar workers and others classified as such, were, in reality, college graduates.[44] Therefore, one can only conclude that the *skills and education of many recent immigrants are either grossly wasted or exploited.* A sample of 44 employees in the University of Washington study (133 Filipino employees) demonstrated that "although the average education acquired was 15.6 years, the average salary was only $7,040 with an average employment length of 4.5 years. Of these—44 employees had a college education and 10 others had a master's degree or better."[45]

A Chinese woman with several degrees was passed over for promotion in the budget department of McClellan Air Force Base near Sacramento although she has been considered very capable. The reason given by her supervisor was that she spoke with an accent.

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[42] Kun Hong Park, DPAA Korean outreach worker.

[43] Testimony given by Michael Castillano, (past) supervisor of the University of Washington, Asian division in the office of minority affairs (presently assistant vice president in the office of minority affairs) before the Governor's Asian American Advisory Council, State of Washington, March 1973.

[44] Bok-Lim Kim, *Service Needs of Asian Immigrants as Seen by Ethnic Churches: Korean Example.*

[45] Michael Castillano testimony.

According to her lawyer, however, she spoke English precisely and her grammar was impeccable.[46]

Foreign medical graduates and nurses staff hospitals in east coast States and California which would be in danger of closing or without adequate staff if the FMGs and FNGs would leave. The presence of the foreign-educated health professionals makes it possible for American-educated professionals, especially doctors, to have the opportunity to take on more lucrative private practices.[47]

Lack of Skills and Education

Not all Asians are highly educated. Many of the Asian wives of American servicemen had "formal education only through elementary school. The lack of job, education and English communications skills usually meant a lifetime of menial and poorly paid jobs."[48]

The Demonstration Project for Asian Americans study of 137 Asian wives showed the average years of education was 7.6. However, approximately 29 percent had only 4 to 6 years of school. Most of the women in this study were employed in unskilled jobs, some worked in the entertainment service field (e.g., go-go dancers) while others were doing manual labor. Self-employed women owned sauna parlors. All these jobs did not require "fluency of English nor education."[49] It has been noted that because many (Chinese) wives had worked outside their homes and were not trained in any skill; when faced with the reality that they had to work to contribute to the family coffers, they often found their way into Chinese-owned sewing factories and laundromats where they are underpaid.[50]

Thus, we see Asian/Pacific people, regardless of education, suffering some hardship when they are seeking jobs not only to sustain them, but also to satisfy them professionally. Although many are frustrated, unfairly used, and often exploited by employers, they rarely complain and sadly *accept such treatment as part of their lives in America.* A Filipino immigrant commented:

> It is common for middle-class Filipinos to work at two and even three jobs because of the high cost of living in our country. I have paid as much as $7.50 per pound for chicken (in the Philippines) because food is not in abundance as it is here. In the United States, hard work is rewarded. In the Philippines, it is part of the struggle to survive."[51]

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[46] Chinese in San Francisco, *testimony before the California Fair Employment Practices Commission.*

[47] Dorothy Cordova, Ick Whan Lee, *A Study of Problems of Asian Health Professionals,* DPAA study, July 1975.

[48] Art C. Wang, *An Analysis of Problems of Asian Wives of U.S. Servicemen,* DPAA (1975).

[49] Sil Dong Kim, "An Analysis of Problems of Asian Wives of U.S. Servicemen," DPAA press, July 1975.

[50] Pei-Ngor Chen, *The Chinese Community in Los Angeles.*

[51] *U.S. News & World Report,* Feb. 20, 1978.

Other Problems

> Darker skins and exotic non-European languages make it harder for some to melt into the predominantly white English-speaking population. In many cases, they (the immigrant) have encountered open hostility from Americans who contend that the newcomers are taking away already scarce jobs.[52]

Youth

Many young immigrants have suffered the trauma of being uprooted from familiar surroundings and then suddenly thrust into an insensitive and unresponding school situation. Teachers tell of shy children, sitting silently in classrooms, barely able to express themselves in English. Existing bilingual education classes cannot accommodate every student who needs assistance, and overworked teachers are frustrated because present programs cannot meet the growing demands. Despite their language difficulties, however, many immigrant youths score high in math and art tests.[53]

Other immigrant children are not accepted because of how they look. A Filipino father whose family has settled in Daly City, California, says "his three children ages, 11, 10 and 6 have been taunted so much," that he has threatened lawsuits unless teachers do more to protect them. In some communities, friction of this kind has encouraged the formation of violent gangs among Filipino youth."[54]

Youth gangs also exist within the Chinese communities. Shootings, extortion, robberies, and even murder have been committed by alienated Asian youths venting their frustrations and anger through acts of violence and lawlessness. Other young immigrants commit crimes and/or belong to gangs because "their parents no longer have control over them, as they did in the old country."[55] Communities which rarely had delinquent children not too long ago are suddenly faced with the problem of lawlessness and criminal acts perpetrated by their youth. Other parents are bewildered by the rejection of honored traditions by their children who are trying to become "more American."

The school curriculum are usually void of anything that could give the immigrant and American-born Asian student some sense of pride in their history and/or culture. Many students begin to think of themselves as "second-class citizens" and are ashamed of their immigrant parents. Professionally unfulfilled parents encourage their children to finish college, because they believe a degree from an

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[52] Ibid.

[53] *U.S. News & World Report*, Feb. 20, 1978.

[54] Ibid.

[55] Alvin Hulgado, Filipino community worker, Office of Human Rights, Seattle, Wash.

American college will give the young people the chances they have been denied.

State of the Art

More than 1 million Asian immigrants have come to the U.S. since the immigration laws were revised in 1965. They came in search of a better life, jobs, education for themselves and their children, to join relatives already here, or to flee from an oppressive government and/or lifestyle in their native land. What they have found in these United States may not be what they expected. A study recently conducted by the Demonstration Project for Asian American in Washington State posed several questions to interviewed immigrants about their life here. Most of the educated ones felt some sense of frustration and unfulfillment, while those whose expectations were less to begin with, felt their life in our country was "very good." Most of the 745 people interviewed felt, however, they would remain in this country.

Their presence is felt in many places. Because of continued pressures from American-born Asian community workers and immigrant activists, new programs have sprung up and State and local governments are beginning to respond to the demand for needed services. One can see more bilingual-bicultural Asians working not only in employment agencies, but also the schools, department stores, banks, hospitals, etc. However, underemployed Asian immigrants see little hope to retrain for an alternative career. Existing programs often stipulate that participants be at poverty or lower family income levels. But there has been community clamoring for programs to meet the existing needs—despite the income of the trainee.

Although attention has been given to the training of bilingual-bicultural teachers, instructors, and administrators to meet the need of an increasing immigrant population, most programs are still in the fledgling stage and many are shaky because Asian/Pacific people are low priority when funds are allocated for bilingual education.

The family structure may have suffered. Parents who fled a bad situation in their native land have found another troubling situation here—when their children get in trouble with the law or reject many of the values of the parents. Many families are still separated by the Pacific Ocean—because parents come first and then send for their children when money becomes available. This has caused many problems and has lessened the parental hold on children.

Recommendations

There are many needs and problems facing the recent immigrants. However, we make the following suggestions as a way to begin to alleviate existing needs of Asian/Pacific people.

1. Let incoming immigrants—especially the professionals—know what the reality is in securing jobs commensurate with their education and experience.
2. Look at existing laws that tend to keep families separated for extended number of years.
3. Intercede with professional organizations on behalf of immigrants with professional training.
4. Recruit, train, and hire Asian/Pacific staff to work within the Immigration and Naturalization Service, especially in cities with large Asian populations.
5. Provide existing staff with sensitivity training about Asian/Pacific people.
6. Make hospitals, nursing homes, etc., which recruit, exploit, then abandon registered nurses from Asia become accountable for their practices.
7. Maintain the existing immigration quotas for Asian/Pacific people.

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Asian Immigrants: Civil Rights Issues, Service Needs, and Some Suggested Solutions

by Tuan D. Nguyen, Ph.D.*

Historical Background of Asian Immigration

The first significant group of Asian immigrants to this country was the Chinese in the late 1840s. The Chinese immigration movement lasted until the passage of the Chinese Exclusion Act of 1882. This was the period of the building of the transcontinental railroad, and a tremendous amount of cheap labor was needed to complete the job. Chinese workers comprised approximately 80 percent of the labor force in this project. (Coolidge, 1909)

Upon completion of the railroad in 1869, the Chinese were released into the cities in search of jobs, in direct competition with white laborers. The failing economic system at the time could not support all these new workers, and the Chinese soon became the object of hatred and abuse by the white laboring class. Their "strange" customs, language, clothing, and their industriousness and frugality infuriated white Americans who saw the Chinese as a serious economic threat. (Daniels, 1962) Compounding the problem was the rapid rise in Chinese immigration which had grown from 3 in 1830 to 100,500 in 1870. (Coolidge, 1909)

The economic collapse of 1876 was the straw that broke the camel's back. When businesses failed and banks and mines were closed, the Chinese became a ready scapegoat for the country's disaster. Chinese were attacked in the streets, their businesses were burned, and a movement to oust them grew to frightening proportions. Another aspect of the problem is that Chinese immigration was thought to be a second wave of slavery into the United States, since the exploitation of Chinese was blatant in very many instances. On altruistic grounds then, many legislators felt that there should be laws enacted to prevent this kind of class from being formed once again. These legislators eventually united forces with those who wanted to exclude Asians on economic grounds. (Daniels, 1962)

The Chinese Exclusion Act of 1882 was the culmination of State and local laws which discriminated against the Chinese. Not only did the act prohibit the entrance of Chinese laborers into the country, it also prevented those already here from attaining citizenship. This act was not repealed until 1943. Even after that date, Chinese were not allowed to come to the United States in any great numbers because of certain provisions of the Japanese exclusion act.

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By the turn of the century, Japanese immigrants filled the gap left by the exclusion of the Chinese. Officially, immigration from Japan was not sanctioned until 1886, but between then and 1910 there were about 72,000 Japanese who had made their way to this country. (Ichihashi, 1932).

The early Japanese immigrants were primarily employed on farms, railroads, in mines, or canneries. They first came to Hawaii and then worked their way to the mainland. Later immigrants were students, domestics, and merchants who often came to the continental United States directly from Japan. The Japanese became successful economically and were soon to follow the Chinese in receiving the wrath of resentful American citizens. (Kitano, 1967)

Not surprisingly, opposition to the Japanese took the form of the earlier movement against the Chinese. Although a national law excluding the Japanese was not passed until after World War I, local and State laws often severely restricted the rights of the Japanese Americans. For example, California prohibited Japan-born immigrants from owning farmland or from leasing farmland for longer than 3 years.

Pilipino immigration to the United States began soon after the Philippine-American Wars in 1906. As the Japanese moved from the plantations of Hawaii to the farms on the mainland, Pilipinos were brought in to replace them. (Morales, 1974) These early immigrants were in a rather peculiar position: As American "nationals"—neither citizens nor aliens—the status they were accorded after the Philippines lost the 1906 war, Pilipinos were not subject to the legislation against entry into the United States. However, as with the Japanese and Chinese, resentment against Pilipinos grew. The solution to the problem was the Tydings-McDuffie Act of 1934, which provided for eventual independence of the Philippines, making it possible to then restrict Pilipino immigration to an annual quota of 50.

The first Korean immigrants arrived in 1903 as contract workers for Hawaiian plantations. A few more trickled into the country for the subsequent 7 years. But in 1910, Japan seized control of Korea and essentially prevented immigration to the United States. The few Koreans who managed to emigrate between 1910 and 1935 carried Japanese passports. It wasn't until after the Korean War that Koreans started to come to the United States in large numbers, including war brides, Korean orphans, and children fathered by U.S. servicemen. It is estimated that there are 32,000 Korean children adopted by American families.

The newest Asian immigrant group is the Indochinese refugees. This wave of immigration was the result of the United States involvement in the Indochina War of the 1960s and early 1970s. The bulk of this immigration occurred in 1975, as 150,000 refugees were resettled in the United States. Prior to that date, the number of Indochinese immigrants was rather negligible, except for war brides, some Vietnamese orphans, and a small number of Vietnamese students and workers on temporary permits to teach Vietnamese to servicemen.

Finally, one cannot complete the picture of Asian and Pacific Islander immigration without mentioning the influx of Samoans and other Pacific Islanders. These groups, while not immigrants in the strict letter of the law, are much like the earlier wave of Pilipinos who came to the United States as "nationals." The civil rights of this migrant community are even less well-defined by the law, and their social, health, and human services needs are grossly ignored. Current estimates place the number of Samoans around 90,000 in California, with greatest concentration in San Diego County, the greater Los Angeles Area, and the San Francisco Bay area.

Current Trends in Immigration

With the passage of the Walter-McCarran Act of 1956, immigration was finally opened to all Asian groups. Although there was a strict quota system on new arrivals—85 Japanese immigrants annually—the act allowed Asians already in the country to seek citizenship. The door was finally opened in 1965 with the passage of the U.S. Nationality Act which eliminated the quota system for Asian countries.

Patterns of Asian immigration have since changed dramatically. In general, while the earlier immigrants were workers and laborers, the new immigrants are professionals—doctors, lawyers, dentists, nurses, teachers, etc. In other words, the "brawn drain" has become the "brain drain."

Statistically, with the exception of the massive entry of Indochinese refugees in 1975, the two largest recent immigrant groups are currently Pilipinos and Koreans. During the period from 1967 to 1976, over 200,000 Pilipinos immigrated to the United States. The Pilipino population is also one of the fastest growing groups. The Bureau of the Census projected a 55 percent to 56 percent increase over the 1970 census data for 1978, based on permanent immigration, birth, and death rates. Thus, in San Francisco, for example, the number of Pilipinos increased by 110 percent, from 25,566 in 1970 to 53,944 in 1978. More dramatic still are the Korean immigration figures. According to the Immigration and Naturalization Service (INS) figures, there were 2,165 Korean immigrants in 1965 and 30,803 in 1976, an increase of 1,322.8 percent. This rate holds for the two major cities, Los Angeles and San Francisco, where the majority of Koreans come. Overall, 75 percent of the Korean population in this country came here within the past 6 to 8 years.

Increases in the Chinese and Japanese populations, while not as dramatic, are also significant. For example, while San Francisco experienced a 3 percent decrease in total population between the 1960 and 1970 censuses, the number of Chinese increased by 61 percent, from 36,445 to 58,696, and the number of Japanese increased by 6 percent, from 9,464 to 11,705. San Francisco, it should be noted, is the leading city of Asian immigration next only to Los Angeles.

Finally, the Indochinese refugee movement, while not as dramatic as it was in 1975, continues. Recent arrivals are composed of the "boat cases" from Vietnam—which include many Chinese Vietnamese—Cambodians, Laotians, and H'muong, as well as other Indochinese who, subsequent to their settlement in other countries, come here to be united with their families.

Asian Immigrants: Their Current Status

The history of Asian Americans in this country is fraught with blatant—often official—discrimination, prejudices, and injustices. Asian Americans, no lesser than other minority groups in this country, have suffered from injustices that leave wounds in their psyches and impair their social and economic progresses. The examples of discrimination and social injustices encountered by Asian Americans and Asian immigrants could be endlessly enumerated, but doing so would serve no purpose unless received by those who can appreciate or are sensitive to the Asian American experience. The latest example of official discrimination is the exclusion of Asian Americans from among the groups defined as socially and economically disadvantaged when the Small Business Administration planned the implementation of Public Law 95-507. (Federal Register, 1979, vol. 44, no. 11 (January 16))

When one examines the social and economic status of Asian Americans, it is blatantly obvious that *de facto* they have fared no better than second- or third-class citizens. Despite their industriousness, they lagged far behind others in reaping the benefits of their labor. In San Francisco, for example, it is estimated that the unemployment rate is about 4.5 percent for persons of Chinese descent, a rate that is much lower than the national, California, or San Francisco rates. Yet 24 percent of the Chinese population have incomes below the poverty level. In 1970 the U.S. Census Bureau projected that 14.8 percent of all Chinese families, 10.1 percent of all Pilipino families, and 9.2 percent of all Japanese families in San Francisco have incomes under the poverty level. It is further projected that among the unrelated Asian American individuals over 14 years of age, 27.2 percent of the Japanese, 36.5 percent of the Chinese, and 32.2 percent of the Pilipinos have incomes below the poverty level. Recently, a sampling of 200 Korean families living in San Francisco who received services at the Korean Community Service Center from January 1977 through June 1978 indicated that 68 percent of these families were below poverty level according to the guidelines for Talent Search. A conservative estimate for the general Korean population based on this finding would be that 34 percent of Korean families are below poverty level.

Turning to the Samoan community, in a study of 410 Samoan households in the Los Angeles area, it was found that fewer than half of the respondents had completed grade school. (Shu, 1977) The consequences of limited education and low-English skills are that Samoans can secure only low-paying, menial jobs. Low income, in turn, limits the choice of housing, makes it difficult to maintain a family and care for dependents, while poor language ability deters Samoans from seeking and receiving adequate health and other services. A study conducted by the department of planning and economic development in Hawaii in 1973 reported that while Samoans constituted 2 percent of the population, they made up 5 percent of welfare recipients.

Looking at the Vietnamese refugees who came in 1975, one found that, by the end of 1977, 66.5 percent of refugees over age 16 were in the labor force and 94.5 percent of them were employed. By contrast, the labor force participation rate of all Americans is 62.2 percent and their employment rate is 93.1 percent. But does such industriousness pay off? Apparently not, since only slightly half of the refugee families—51.4 percent—earned incomes of $800 or more per month for an average family size of 6.5. (HEW Refugee Task Force, 1977) Furthermore, 60.6 percent of the refugees who had been white-collar workers in Vietnam are now in blue-collar jobs, indicating that the rate of underemployment is high. This type of underemployment is generalizable to practically all other Asian immigrant groups.

One must note here also that the Indochinese refugees have received special help in relocating themselves in this country, such as language training, vocational training, employment placement, and housing. This knowledge leaves one to wonder about the fate of other Asian immigrants, migrants, and refugees who do not receive much concerted or organized help in essential survival skills for their settlement in this society.

In addition to economic survival problems, immigrants face a host of other social, health, and psychological problems. Because of language barriers, most immigrants cannot avail themselves of the existing social, health, and human services. The process of migration itself creates stresses on the individuals, families, and groups. These stresses can become acute when help is not readily available. Research has found that the incidence of mental illness is significantly higher among migrants and immigrants than among nonmovers (Struening, Rabkin, and Peck, 1964) and that "migration per se is apparently a major determinant of admissions to mental hospitals." (Lazarus, Locke, and Thomas, 1963:41) The stresses experienced during the process of cultural, social, and economic adaptation often lead to family disruption, alcoholism, depression, and antisocial behaviors, particularly in children. Lack of knowledge about and inaccessibility to health services often aggravates health problems that are caused by substandard and inadequate housing and living conditions.

In order not to belabor the points that will be raised in the latter sessions of this conference, I will now put forward some suggestions for programs and efforts that may alleviate the problems experienced by Asian immigrants.

Remedial Actions to Ensure the Civil Rights of Asian Immigrants

Recommendation 1–That a central immigrant referral center with a toll-free number be set up for immigrants to call for help in any matter. This center should be staffed by competent bilingual persons who could screen the nature of the problem or need for help and make appropriate referrals to service agencies in the city where the immigrant resides. This toll-free number, under arrangement with the Immigration and Naturalization Service, is to be provided to all incoming immigrants at their port of entry. A short pamphlet accompanying the number, printed in the native language of the immigrant, should explain the purpose of the toll-free number.

The rationale underlying this recommendation is that immigrants, not only because of language barriers, but also because of cultural and social backgrounds are not familiar with the multitude of categorical service programs that is now the fabric of help provision in this society. Lacking this knowledge, they are likely to make contact with inappropriate service agencies and then are turned down. Such an experience leads to reticence and unwillingness to try again, since the immigrant and refugee will generalize that services are not accessible or give up hope of finding sensitive and appropriate service agencies. Yet, it is common knowledge that the first few years of cultural and economic settlement are fraught with crises that, when gone unnoticed or unremedied, can result in serious, debilitating states of affairs. Thus, there is an urgency to establish a central referral center, which serves the problem detection and referral purposes and helps the immigrants to cope effectively with crisis situations before these situations become unwieldly aggravated.

Recommendation 2-That special service centers in the areas of legal aid, housing, employment, vocational training, health, mental health, family services, and education be set up in major ports of entry. These centers are to be staffed by competent, bicultural, and bilingual staff in order to provide sensitive, appropriate, and accessible services to immigrants. These services should be coordinated with the central referral center.

The rationale for this recommendation is that, currently, special services for immigrants, and particularly for Asian immigrants, are disjointed and sporadic in terms of organization, stability, and fundings. The general assumption has been that social and health and human services are the responsibilities of States and local governments. However, history has shown that State and local governments are often the first to discriminate against Asian immigrants and perceive the immigration and immigrant problems as a Federal problem. They are, of course, wrong in the first matter. However, in the second matter, it is appropriate to argue that the immigrant issues are issues of broad national concern. Thus, the Federal Government should take the lead in coordinating the immigrant services that already exist and supplementing them with additional services that are necessary to ensure equal opportunities to immigrants entering this Nation.

Additional services that are sorely needed are in the areas of health, mental health, and family counseling. Because of the survival and cultural and social adaptation stresses, many immigrant families undergo dramatic crises that threaten the survival of the family as a unit. If help is forthcoming immediately when such crises occur, the long-lasting, deleterious effects can be avoided and healthier American family units will result from these intervention efforts. Furthermore, because of inadequate housing or living arrangements, health problems are also common among immigrants. Without timely intervention, crippling effects can result and they will require more costly courses of treatment. Currently, Federal regulations and problems in the area of health and mental health are designed for the broad range of the general population, but are not geared to specific needs of immigrants. That is, they are not specifically designed to be sensitive and accessible to the problems encountered by immigrants. Under the current arrangements, efforts in this direction run into direct competition with the concerns and demands of local citizens and, thus have little chance of success. Therefore, special regulations and programs with firm and long term funding bases must be originated in order to address more directly and fully the health, education, mental health, and employment needs of refugees and immigrants.

Recommendation 3—That mandates and funds for special Asian immigrant services be designed and implemented on a *long-range* basis rather than the customary year-by-year strategies.

The process of legislating, funding, and implementing federally funded services is a long, drawn-out process that consumes extensive amounts of effort and time. When such a process is done on a year-to-year basis, it becomes almost impossible for Asian American minorities to fully participate year-in and year-out, given their limited resources in terms of competent persons who could feasibly and maximally understand the process and its implications. Thus, the year-to-year basis of planning creates insurmountable barriers to full participation by Asian American citizens and immigrants. Furthermore, because Federal funding is often channeled through State and local governments, the discrepancies in fiscal time periods and planning cycles make it impossible for community agencies to elicit and solicit full community participation to carry out the best service plans and implementation. The rush and short deadlines result in hasty plans and hasty implementations that lead to less than optimal service programs. This situation is well-illustrated when one examines the Indochinese Refugee Assistance Program (IRAP) processes since 1975. Funding for IRAP programs and services has always been legislated on a year-to-year basis with the result that programs that are set up only have a semblance of stability for at most 6 months out of the year. The other 6 months are equally spent either in gearing up for a new fiscal year, or preparing for the eventuality of closing down the programs or busily rushing through the bureaucratic redtape in order to obtain promised, but not necessarily firm, funds. About this time of the year, the staff and refugee recipients of IRAP services are in limbo in terms of the continuance of services that refugees need in order to prepare themselves for social and economic survival in this country. Currently, the vocational training and employment counseling and placement services for refugees face a shutdown in June. Once these programs shut down, it will be a costly undertaking to restart them in October.

Recommendation 4–That the U.S. Commission on Civil Rights establish a watchdog committee to: (a) screen, review, and monitor current and proposed legislation affecting Asian Americans, immigrants, and refugees, as well as the implementation of these legislations and, (b) to communicate findings and elicit input and reactions from the people affected.

Such a watchdog committee is utterly necessary in light of past laws that openly discriminated against Asian Americans and immigrants. Even currently the implementation of policies aimed at rectifying the injustices suffered by minorities contains elements of discrimination against Asian Americans and immigrants. Such is the case with the implementation of Public Law 95-507 by the Small Business Administration. Another instance of *de facto* discrimination is the exclusion of permanent residents, by Executive order, from employment by the Federal Government. Yet, it must be recognized that the Federal Government has in the past two decades been the leading employer of minority persons. The Executive order barring Federal employment from permanent residents denies recent emerging Asian communities such as the Korean and Indochinese from the benefits intended for socially and economically disadvantaged groups. Such a practice also set up *de facto* barriers for immigrants who need the services offered by the Federal Government by failing to actively remove language and cultural barriers. Another practice that perpetuates the disadvantage status of new Asian Americans is the restriction of Federal scholarships and fellowships to citizens only. Thus, immigrants are denied the equal opportunity for competing for programs that will advance their economic and social well-being.

In addition to such *de facto* discriminatory practices, investigations and monitoring must be made to ensure that funds and programs specially earmarked for Asian Americans, immigrants, and refugees are properly administered and used to the benefit of these groups. Misuse and abuse arise partially because of the above-mentioned crisis-management style predicated on a short term—year-by-year—basis. Another reason for misuse and abuse is the lack of proper monitoring and evaluation of contracting agencies. This deficiency results in granting awards to established agencies on the premise that "big is better" without regard to whether the intended beneficiaries truly receive the benefits intended for them and whether emerging community agencies can accomplish the intended mandates more efficiently and effectively. A third reason for misuse and abuse is the lack of clear delineation of purposes and boundaries for spending the funds once they are released from the Federal Government. Thus, for example, the San Francisco School District has received a large amount of IRAP funds—$500,000 in 1977-78 and almost $100,000 in 1979-80—for the development of bilingual material for Indochinese refugees. Yet, to this date, such material is almost nonexistent, and the 900 Vietnamese high school students do not even have the benefit of a bilingual and bicultural counselor.

Recommendation 5–That mechanisms be established to ensure that educational, employment, and service screening devices and practices are culturally appropriate to Asian Americans, immigrants, and refugees.

The misuse of so-called "standardized" tests is a frequent occurrence and is well known. For example, the quota system established in the immigration act of 1924 was predicated on testimony of the eugenicists and on the basis of improperly interpreted IQ test results collected from the Army. Currently, many tests and screening devices are culturally loaded. The correct responses to many of these tests depend on prior learning rather than on innate ability, or on the predominant value biases operating in the society. Yet, it is a fact that Asian immigrants and refugees not only have a drastically different language system, but also come from cultures with widely different values. Thus, tests and screening devices that are not culturally sensitive ensure the failures on the part of these new citizens and, therefore, constitute, in the words of Walter Lippmann, "an engine of cruelty—a method of stamping a permanent sense of inferiority upon the soul of a child."

One method for remedying this potentially cruel situation is to create a research group of Asian Americans in order to examine the cultural appropriateness of tests and screening devices for the various Asian American immigrant and refugee subgroups.

Recommendation 6–That efforts be devoted to the dissemination of material about the Asian and Pacific Island cultures and societies in the schools and throughout the mass media.

The need here is to reach young people who are not of Asian origin at a time when they are forming attitudes and values regarding other ethnic groups. The need is also to counterbalance the Hollywood stereotypes of Asians of different origins and to overcome the ethnocentricism that in time of national stress can so easily be exploited to become hatred and abuse, as were the cases with the Chinese in 1882 and the Japanese during World War II. Programs that increase the exchange of cultural knowledge and the study of the multiethnic nature of one's own nation, especially at an early impressionable age, builds an atmosphere of mutual respect and consideration for all Americans.

Recommendation 7–With specific reference to the Indochinese refugees who are awaiting admission to the United States, that they be admitted to the United States as permanent residents without the 2-year parolee status.

Currently, the admission of Indochinese refugees is based on case-by-case evaluation of their applications. These refugees, however, are part of a mass exodus rather than separate individual instances of political recrimination. The refugees, as a group, are politically at risk for their lives because of their open rebellion against a totalitarian Communist regime. For them, there is no return to the homeland, and the 2-year parolee status is a bureacratic ritual that adds unnecessary and inhumane anxiety to the multitudes of hardships that they already undergo in order to escape. The removal of the 2-year parolee status requirement is not only an act that ensures their civil rights to the enjoyment of a life free of unnecessary hardship. This act will also be consistent with the respect for human rights which have been so proudly proclaimed and consistently insisted upon by this Nation.

Recommendation 8–That special legislation be enacted to grant the Indochinese refugees their citizenship after the lawful residence requirements and that special programs be implemented to expedite the process of naturalization of the Indochinese permanent residents.

The rationale for this recommendation is based on the civil rights not only of Indochinese permanent residents, but also those of other Asian immigrants. Public Law 95–145 allowed these refugees to adjust their status to that of permanent resident and recognizes, for purposes of computing the 5 years' residence required for citizenship, the time a refugee has already spent in the United States on or after March 31, 1975. Approximately 130,000 refugees have made such adjustment, and most of them will seek citizenship in 1980 and 1981. It has been estimated that, if the current practice of considering citizenship on an individual petition basis continues, given the current resources of the Immigration and Naturalization Service and the Justice Department, it will take until the turn of the century to process all refugee petitions. The implications of this fact is that the Indochinese will be denied their due rights to participatory democracy even though they have fulfilled the residence requirement. Furthermore, the large majority of Indochinese has now settled on the western seaboard where the majority of Asian immigrants also live. Any slowdown in immigration and naturalization processing at the INS in that part of the country will mean the further denial to Asian immigrants of their rights to participatory democracy. Because of this situation which impinges directly on the exercise of their civil rights by Asian immigrants and refugees, it is urged that special legislation be enacted to allow the expeditious granting of citizenships to Indochochinese immigrants and the allotment of resources to the INS for this purpose.

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U.S. Immigration Policy and Asian Americans: Aspects and Consequences

by Shirley Hune, Ph.D.*

In the limited time allotted and in recognition of the contribution that other speakers at this consultation are making on the contemporary period, I have limited my presentation to a discussion of two factors which have *historically* influenced the formulation of U.S. policy towards Asian immigration. The factors which I will be addressing here are:

1. Racism in U.S. immigration policy
2. Foreign policy as an aspect of U.S. immigration policy.

These factors are too often neglected or ignored in any discussion of the development of American immigration policy. Yet they have had a great impact on the lives of Asian Americans. A consideration of these two factors are essential for an understanding of the present status of Asian Americans and the American immigrant experience in general.

Let me first preface my remarks by reminding us that the Pacific migration, that is, the movement of peoples from the countries and islands of the Pacific rim to the Western Hemisphere, preceded the Atlantic migration to the "New World" and the founding of the United States of America.

The first settlers of the Western Hemisphere crossed the Bering Strait from the Eastern Hemisphere 40,000 years ago. Their descendants were "discovered" much later for Europe by Christopher Columbus and called "Indians." Other settlers crossed by sea to inhabit the islands of the Pacific (our present day Pacific Islanders) eventually to be "discovered" by Captain Cook in the 18th century. In addition, centuries before the arrival of European explorers, archeological evidence such as pottery, coins, and monument carvings, as well as written records, reveal contact by persons from Japan, China, and South Asia with the native American population along the west coast of the Americas in what is now Alaska, British Columbia, Washington State, Mexico, Ecuador, and Peru.[1] However, what I will be commenting on here concerns only the modern migration of Asians to the United States and the evolution of America's policy towards Asian immigrants.

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[1] See, for example, Henriette Mertz, *Gods From the Far East: How the Chinese Discovered America* (New York: Ballantine Books, 1953); Betty J. Meggers and Clifford Evans, "A Transpacific Contact in 3000 B.C.," *Scientific American* 214 (January 1966): 28–35; Chaman Lal, "Did Hindu Sailors Get There Before Columbus?" *Asia Magazine* (Mar. 11, 1962); 9–11; Douglas S. Watson, "Did the Chinese Discover America?" *California Historical Society Quarterly* 14 (March 1935): 47–58.

The subtopic of this consultation on civil rights issues of Asian and Pacific Americans is "Myths and Realities." Oscar Handlin, the noted immigration historian, wrote in the introduction of his Pulitzer Prize winning work, *The Uprooted*, that:

> Once I thought to write a history of the immigrants in America. Then I discovered that the immigrants *were* American history.[2]

While this is unquestionably true, much of what has been written—to date—about the immigrant experience in America remains more mythology than history. The same can be said about U.S. immigration policy. In spite of the current debate over undocumented workers, school textbooks, newspaper editorials, the popular media continue to extol the myth of America as an open society which has consistently thrown wide its golden door to the "tired," the "poor," and the "huddled masses" of the world "yearning to breath free." In reality, there have been guardians at the door and the guardians have always been selective. Immigration has always been preferential based on family stock, race, and labor skill or high educational background. The preferred family stock has been of Anglo-Saxon heritage, the race, white, and the labor/educational background that which meets the immediate economic and social needs of the country. At best, the attitude of Americans towards immigration has been one of ambivalence; at worst, it has been racist and exclusionary.[3] Asian Americans have been the victims of the worst aspects of U.S. immigration policy. There are many examples of anti-Asian immigration legislation which can be used to illustrate this point.

1. The first victims of immigration discrimination, as a group, were the Chinese who were also the first Asians to migrate to the U.S. in significant numbers. There has been an historic policy of Chinese exclusion in America. The first bill to limit Chinese immigrants to the U.S. was passed in 1882 restricting the entry of Chinese laborers for a period of 10 years. It is the only American immigration bill to specifically restrict the migration of foreign peoples by race. It also

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[2] Oscar Handlin, *The Uprooted* (New York: Grosset & Dunlap, 1951), p. 3.

[3] For discussion of ambivalence in American attitudes towards immigration, see Maldwyn Allen Jones *American Immigration* (Chicago: University of Chicago Press, 1960). Racism towards European immigrants in U.S. immigration policy is discussed in Oscar Handlin, *Race and Nationality in American Life* (New York: Doubleday & Co., 1957) and John Higham, *Strangers in the Land* (New York: Atheneum, 1970). Racism towards Mexican Americans is discussed by Carey McWilliams in *North From Mexico* (New York: Greenwood Press, 1968). The literature of Asian American studies is replete with work on racism and exclusion in U.S. immigration policy. See, for example, Stanford Lyman, *Chinese Americans* (New York: Random House, 1974) and Victor G. and Brett de Bary Nee, *Longtime Californ'* (New York: Pantheon Books, 1972) on the Chinese; Roger Daniels, *The Politics of Prejudice* (Berkeley: University of California Press, 1962) on the Japanese; and H. Brett Melendy, *Asians in America* (Boston: Twayne Publishers, 1977) on Pilipinos, Koreans, and East Indians.

denied the Chinese in America the right to U.S. citizenship through the process of naturalization. Over a period of time additional legislation was passed extending Chinese restriction for 80 years and broadening the application of restriction to include other categories of Chinese such as Chinese laborers' wives. Chinese restriction was not fully repealed until the Immigration and Naturalization Act of 1965; there had been a modest lift in the exclusion policy in 1943 when an annual quota of 105 Chinese was introduced.

This policy of Chinese exclusion in particular is viewed by Asian Americans as not only a policy of racism and discrimination, but a policy of genocide. A policy which prevented Chinese women from joining their husbands or fiances in America in conjunction with State regulations against intermarriage of Chinese and Caucasian denied Chinese males the human right to form families in America. Such a policy could only be designed to eliminate the Chinese population in America. Thus, the glowing remarks that Americans make about the tradition of the Chinese family are crude and horrible jokes. The Chinese family *in America* did not exist except for a few in the late 19th and early 20th centuries. These remarks are met with not joy but pain, with the knowledge of those thousands of Chinese men who spent their lives away from family members in China and died alone in America never knowing their children and grandchildren and of the thousands of parents, women, and children who were never permitted to share their lives with their menfolk.

2. The Chinese were not the only Asian group to face hostility. Opposition to Japanese, Korean, "Hindu" (East Indian), and Pilipino immigrants also appeared in the late 19th and early 20th centuries. Thus, in 1908, in the face of anti-Japanese opinion and violence, the U.S. Government negotiated a Gentlemen's Agreement with the Government of Japan whereby Japan was to limit the number of Japanese immigrants to America.

3. In 1917 the policy of Asian restriction was further extended with the introduction of the barred zone act. Asians in the geographic triangle in the Asia/Pacific region defined by degrees of latitude and longitude to include India, Southeast Asia, the Indonesian Islands, New Guinea, and parts of Arabia, Afghanistan, and Siberia were barred from admission to the U.S. by this act. Only Japan was exempted.

4. Then in 1922, the U.S. Supreme Court declared "Orientals," in general, ineligible for citizenship. Based on this decision, an act was passed in 1924 declaring all aliens ineligible for citizenship. In this manner, a policy of Japanese exclusion was finally introduced. This act was part of a series of restrictive immigration legislation in the 1920s

that established the national origins quota system and limited the entry of Southern and Eastern Europeans to America.

5. Pilipino Americans, who had escaped earlier attempts at restriction because of their colonial relationship with the U.S. and their status as U.S. nationals, were also affected by this general policy of immigration restriction. Part of the drive to achieve independence for the Philippines was coupled with attempts by opponents of Asians to restrict the entry of Pilipinos to America. With the acquisition of political independence in 1934, an annual quota of 50 was given to the Philippines.

This policy of Asian exclusion or restriction to an annual quota of 100 or 50 was carried out in the same period that approximately 35 million Europeans were permitted to enter the U.S. and in which European countries (after 1920) were given annual quotas for their immigrants numbering in the thousands. Thus, the policy of restriction and exclusion was aimed primarily at limiting the entry of Asians; a policy that was based upon race and, therefore, part of the system of institutionalized racism in America.

In addition to limiting the numbers of Asian immigrants, U.S. immigration policy has been discriminatory on the basis of the right to citizenship. Asians were declared ineligible for citizenship through naturalization on the basis of their race. It was argued that "Orientals" were inferior and incapable of understanding American institutions. This policy was not changed for the Chinese until 1943 and for the Pilipinos not until 1946 when they were granted the right to citizenship through naturalization. The immigration law was finally repealed in 1952, thus permitting all other Asian groups access to citizenship. But for those first-generation immigrants, many of whom lived in the U.S. for several decades, life in America meant institutionalized second-class citizenship.

The Immigration and Naturalization Act of 1965—eliminating quotas based on race and national orgin—has finally ended Asian restriction. The act facilitated family reunification; however, it is still selective on the basis of the socioeconomic background of the immigrant. As a consequence, the total number of Asians entering the U.S. has increased dramatically in the past decade and Asian immigration now constitutes almost one-third of the total annual quota. In addition, the new Asian immigrants come from a broad socioeconomic background and many are part of the so-called "third world brain drain." They are highly skilled and educated, such as doctors; others are relatively unskilled and do not speak English.[4]

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[4] For more details see, Monica Boyd, "The Changing Nature of Central and Southeast Asian Immigration to the United States: 1961-1972," *International Migration Review* 8 (Winter 1974): 507-

However, the 1965 act does not eliminate opposition to Asian immigration. Hostility and racism still persist as the mixed response to the arrival of Indochinese refugees and the famous "baby lift" out of Vietnam in 1975 attests. The reluctance of Federal and State officials to receive the Indochinese, statements in the popular media alluding to the "yellow hordes," socially communicable diseases, and the untrustworthiness of the most recent Asian immigrant group to America is a repetition of the reception given to other Asian immigrant groups of an earlier period and recalls for us the long history of the Asian immigrant experience in the United States.[5]

A second factor in the development of U.S. immigration policy relating to Asians is the effect of American foreign policy in Asia on U.S. immigration policy. This interrelationship of foreign policy and immigration policy has had a serious impact on the lives of Asian Americans. The formulation of a U.S. policy towards immigration is complex and involves not only Federal legislation but also court cases, administrative decisions and even the personal intervention of Congressmen. Immigration is generally viewed as a domestic matter and immigration policy as a reflection of internal political, social, and economic needs and interests. But, in reality, like all other domestic policies, immigration policy is also influenced by American international relations and interests. It is, therefore, not solely a domestic policy.

The history of the U.S. has been intertwined with Asia since the American trading ship, the Empress of China, first set sail for Canton in 1784. Furthermore, while Americans looked across the Atlantic to Europe for their cultural roots, they also looked westward across the Pacific where they believed their "Manifest Destiny," their historic mission, their future lay as a major world power. American economic, political, strategic, and to a lesser extent humanitarian concerns have long guided its foreign policy in Asia. This foreign policy has led the U.S. to send missionaries, to expand trade and commerce, to acquire colonial territories, to send armed forces, and to experiment with atom bombs and biochemical warfare in Asia.

U.S. foreign policy in Asia has also had serious consequences for its immigration policy towards Asians. Asians in America have, at times, benefited from but more often, been the victims of state to state relations and international power politics. The most recent example is the situation of the refugees from Vietnam, Cambodia, and Laos. The Indochinese—over 150,000 of them who have arrived in the U.S. since

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19; Charles B. Keely, "Immigration Composition and Population Policy," *Science* 185 (August 1974): 587-93; Roy S. Bryce-Laporte, "Visibility of the New Immigrants," *Society* 14 (September/October 1977): 18–22.

[5] For example, see articles in the *Washington Post* and *New York Times*, May 3-6, 1975.

1975—have come under very different circumstances than earlier groups of Asians. They have come not as immigrants in the traditional sense but as political refugees. Their presence in America today is a direct result of America's war in Indochina, the war's violent disruption of their homeland and homelife, and of the promises made to them for their cooperation with the U.S. Government.

But this experience is not a recent phenomenon. There are many other incidents in which U.S. foreign policy in Asia has affected immigration policy towards Asians in an earlier period. For example:

1. The desire of the U.S. to expand its commercial interests in China at first supported Chinese immigration to the U.S. In the famous Burlingame Treaty of 1868, the U.S. agreed to protect Chinese immigrants entering the country for reciprocal treatment of American traders and missionaries entering China. However, when opposition to Chinese immigration in California increased it was recognized that China was too weak militarily and politically to retaliate. The U.S. negotiated another treaty in 1880 that permitted the enactment of the first Chinese exclusion bill while still protecting the rights of American traders and other personnel in China. Treaties between the U.S. and China were no longer reciprocal. Thus, the policy of Chinese exclusion was introduced.

It was not until events in the world and China had changed sufficiently enough and altered America's relationship with China that the U.S. modified its Chinese exclusion policy. Thus, 60 years after the first Chinese Exclusion Act of 1882, the U.S.—seeking a greater role in Asia after World War II and needing Chiang Kai-shek's support in the Pacific region in the war against Japan—decided to uplift China's morale by lifting its immigration exclusion policy against the Chinese and introducing an annual quota of 105 immigrants. In this particular case, Chinese immigration benefited from international power politics and American interests in the Far East.[•]

2. Japanese immigration to the U.S. was also affected by relations between the governments of Japan and the U.S. In this instance, the political and military strength of Japan in the world in the latter 19th and early 20th centuries were recognized by the U.S. American presidents were hesitant about introducing a Japanese exclusion policy that might cause the Japanese Government to take action against the U.S. Thus, a policy of Japanese exclusion was delayed as Americans sought other means to discourage Japanese from migrating to the U.S. International power politics, in this instance, delayed the introduction of a Japanese exclusion policy but did not prevent it. With the

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[•] For a detailed discussion on this topic, see Shirley Hune, "The Issue of Chinese Immigration in the Federal Government 1875–1882" (Ph.D. dissertation, George Washington University, 1979).

continuing opposition to Asians in America, such a bill was finally introduced in 1924.[7]

In summary, one cannot begin to comprehend the contemporary status of Asians in America without an historical analysis of U.S. immigration policy towards Asians.

1. There is a continued reference to the small number of Asians in the U.S. as compared with other minority groups. This small number is often used to justify the lack of government attention to issues concerning Asian/Pacific Americans or to explain away the lack of Federal programs to assist Asian/Pacific Americans. This is thoroughly unjustified. The Asian/Pacific American population is smaller than other groups because for decades it was deliberately kept small through policies of immigration exclusion that reduced the numbers of new arrivals and through policies of genocide which prevented family formation in America and the increase of the population through natural birth. No other group of immigrants was treated with such harshness.

2. Nor are the suggestions that Asian Americans are not interested in participating fully in American society justified without an understanding of America's racist immigration policy. Allusions are made to Asian/Pacific Americans being culturally uncomfortable with the democratic process or that they are clannish and prefer to mind their own business and take care of their own rather than to assimilate. Again, it must be noted that historically Asian/Pacific Americans have been deliberately kept out of the political system and relegated to second-class citizenship through the denial of their right to citizenship through naturalization. In this democratic political society, there is little political power without the vote—as Afro American citizens have demonstrated in their heroic struggle for civil rights. But without citizenship, there is also no access to the vote. In the past, community, State, and national leaders, even in areas of large concentrations of Asian populations, were able to ignore Asian Americans because they had no votes to deliver. However, this has begun to change as the politics of Hawaii and California attest. As greater and greater numbers of Asian American voters make their appearance, we can expect that officials will not be able to ignore the Asian/Pacific American presence. However, it still remains for the system to be responsive to the needs and concerns of Asian/Pacific Americans. But as blacks, Hispanics, and women have learned, this has yet to be achieved.

3. Nor can we fully understand the present condition of Asian/Pacific Americans without recognizing the role that U.S.

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[7] Thomas A. Bailey, *Theodore Roosevelt and the Japanese-American Crises* (Palo Alto: Stanford University Press, 1934).

foreign policy and its international interests in Asia have played not only on immigration policy but also on domestic policy in general. Once more institutionalized racism shows its face. Many Americans do not separate Asian Americans from Asians in Asia. By our physical appearance, we do not belong in America; our loyalty is questioned, we cannot be trusted, we are different. This is why Asian Americans are continually being asked: "Where were you born?" or "Where are you from?" The fact that many of us answer Cincinnati or Fresno, or that we respond that we are fourth- or fifth-generation Americans and that our ancestors helped build America still remains incomprehensible to many Americans. Some of us have been here longer than others who are more readily acceptable as being Americans. For some Americans, once Japanese always Japanese, or Thai, or Indian, etc. The same is not asked of Irish Americans, Norwegian Americans, or German Americans.

Furthermore, it is unfortunate that most American knowledge and contact with Asia and Asians have been through war. Most of the major wars of this country have been fought in Asia. The first American war in Asia was in the Philippines in the 1890s; the war against Japan during World War II, the Korean War, until very recently, the Cold War with the People's Republic of China, and the Vietnam War. For many Americans, Asians are all "gooks." These wars left victims in Asia and victims in the United States. There were over 110,000 American victims of international power relations during World War II. These were the loyal and innocent American citizens of Japanese descent, many of whom were children, who were interned in isolated camps within the borders of the U.S. in violation of civil and constitutional rights. German Americans and Italian Americans—also American enemies during World War II—were not treated in this manner in America. The great personal, professional, and financial losses of Japanese Americans as a consequence of this action are still not recognized by Americans.

Similarly, the Chinese American community has suffered as a consequence of America's Cold War with China. They were treated with suspicion, often surveyed by the FBI, and have even had their mail opened without their knowledge. These incidents which make up part of the Asian American experience are not aberrations in U.S. history or mistakes. They must be understood as part of a history of racism, discrimination, and victimization for the purpose of carrying forward specific domestic and foreign policies.

Racism and international politics have influenced the development of America's immigration policy for Asians. They have also had serious effects on Asian American communities. In this consultation on the civil rights concerns and issues of Asian/Pacific Americans, it is necessary to consider strategies for the present and future. A major consideration is to end racism and discrimination in all domestic policies including immigration. The first is to recognize that Asian/Pacific Americans have historically been and continue to be a disadvantaged racial minority group in America. Support for affirmative action programs represents a beginning towards redressing past discrimination and achieving some measure of equality of opportunity. There is also a need to recognize that while we will continue to see the interrelationship of foreign policy and domestic policy, that state to state relations and global power politics should not have a detrimental effect on the lives of Americans who happen to be of Asian or Pacific Island descent.

An Overview of Federal Immigration Policies and Their Effects on Asian and Pacific Americans

by Bill Ong Hing*

As an Asian dealing in day-to-day immigration affairs, I often marvel at the ingenious schemes my ancestors devised to thwart the immigration policymaker ghosts. It seems that those in authority were always set on excluding the "yellow-skinned," "strange-tongued," "slanted-eyed" "Yellow Peril." The blatantly discriminatory laws of the past explicitly prohibited new Asians from entering the United States, yet many Asians still managed to overcome those offensive obstacles. The "paper son," the birth certificate destroyed in the Great San Francisco earthquake, the generations spent in Latin America—all were examples of tremendously creative ways of reaching these "Golden Hills."

Upon further reflection, however, this adulation of creativity turns to a sobering realization that, despite the anecdotal successes of many in evading the innumerable immigration discriminations, tremendous hardships were unnecessarily borne by my ancestors. It is difficult to decide whether an ethnic group that is forced to lie and to cheat because of the oppresive racial biases of others is a group to commiserate with or to applaud. Whatever conclusion is reached, it is painful to recall the historical prejudices codified against my uncles and grandfathers, and particularly against my aunties and grandmothers. Questions related to immigration directed to them do not rekindle fond memories, but rather are often greeted with sadness and silence.

The last distinct vestiges of the Asian exclusion laws were not removed from the immigration statutes until 1965, when the national origins quota system of immigration was repealed. Yet, serious questions of intentional discrimination against Asians in the implementation of immigration laws arise even today.

The concept of "discretionary authority" is the name of the game in the practice of immigration law. Any lay person who has come into contact with the Immigration and Naturalization Service (INS) soon comes to realize that things get done when someone is moved to get something done. The immense authority that immigration officials have over the lives of citizens and aliens is derived from the intricate immigration statutory scheme in which Congress delegates implementation to the Attorney General, who, in turn, parcels out decisionmaking responsibilities throughout the INS structure. The discretion to act, to not act, where to act, how to act, and when to act leaves the public at the mercy of these bureaucrats; and the exercise of this administrative discretion continues to fall heavily and disproportionately upon Asian and Pacific persons. This paper attempts to highlight a few of the immigration policies that affect Asians and Pacific persons today. In certain situations a review of historical policies is necessary to place present-day situations in proper perspective.

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Exclusion of SSI Aliens—An Example of Discretion

A situation that has developed only recently serves as an excellent example of present INS policy that discriminates solely against Asian and Pacific persons as a matter of discretion.

Late last summer immigration inspectors in Honolulu began a systematic interrogation of elderly Asians who were lawful permanent resident aliens of the United States (commonly referred to as "green card" holders). They were returning from visits abroad that were generally no more than 30 days. The interrogation in Honolulu went beyond the customary questioning as to purpose and length of stay but, rather, focused on whether or not such Asians were or had been recipients of supplemental security income (SSI) public assistance benefits. SSI is a subsistence program for elderly and disabled poor made available to citizens and lawful residents aliens. If SSI had been previously received, immigration inspectors took possession of the person's alien card and passport and instructed the person to report for further inspection and interrogation in the district of residence, e.g., Los Angeles, San Diego, Seattle, San Francisco. At the subsequent inspection, these elderly Filipinos, Chinese, Koreans, and Japanese have been informed that they are excludable from the United States under section 212(a)(15) of the Immigration and Nationality Act (INA), 8 U.S.C. §1182(a)(15), as public charges. They are given three alternatives: go back to their native country, request an exclusion hearing, or terminate SSI benefits and post a public charge bond of several thousand dollars.

Note that the INS is dealing here with returning lawful permanent resident aliens, not with first-time immigrants or undocumented aliens. The supposed authority for INS to reimpose the public charge grounds for exclusion each and every time an alien reenters the United States stems from a concept termed the "reentry doctrine." However, the reentry doctrine has traditionally been used to exclude returning criminals, subversives, and other undesirables, and has not been used under modern immigration laws to exclude returning residents aliens who have sought public assistance. It is merely a matter of policy on the part of INS instituted recently that has brought about this result.

In the more than 100 cases reported, there has been no question that the person had a right to apply for and to receive SSI under Social Security Administration regulations. There have been no allegations of fraud. It is equally clear that if these persons had not proceeded abroad, they could not have been deported under the immigration laws. Under SSI regulations, they were permitted to leave the country for periods up to 30 days without affecting their SSI eligibility, and, indeed, in many cases they were informed by SSI representatives prior to departure that there was nothing to worry about. However, these people were unwittingly walking into the trap of the reentry doctrine—a trap never previously set for lawful permanent residents receiving public assistance.

As noted above, this procedure marks a sharp change from previous INS policy throughout the country. This simply has never been done before and even today is not happening in other parts of the country. Because most lawful permanent resident Asian travelers return through Honolulu, the impact of the new policy has fallen squarely on elderly Asian and Pacific persons only. The action has caused great alarm in Asian communities throughout the United States, and the action is outrageous when viewed as another extension of the infamous exclusion laws of the past directed at Asians. The racial lines have been sharply defined by the port at which this policy is being effected. This blatant attack on only elderly Asian and Pacific persons must be terminated immediately.

Filipinos and Filipinas

The Philippine Independence Act of 1946 brought with it the loss of status as United States nationals for natives of the Philippines. Although many had been recruited to work the sugar plantations in Hawaii and the farmlands of the San Joaquin and Imperial Valleys in California, if they were not naturalized prior to July 4, 1946, those Filipinos and Filipinas lost their status as nationals on that date. The annual immigration quota for the Philippines after independence was 100, making immigration to the United States quite difficult.

General Considerations

In recent years Filipino immigrants and nonimmigrants have been the most poorly treated group of persons at the local San Francisco district office. The general demeaning attitude of immigration investigators, examiners, and clerical staff exhibited towards Filipinos and Filipinas has been the most troubling aspect of practice for many practitioners in the field of immigration law. There is a clear lack of sensitivity towards persons from the Philippines in the minds of most investigators and examiners. As a group, natives of the Philippines are distrusted and interrogated more intensively by immigration inspectors at the airport. In visa cases involving marriages where one party is from the Philippines, the parties are subjected to exhaustive questioning by examiners far beyond the already ludicrous standards of examinations conducted in most marriage cases. Often as a matter of discretion in visa and citizenship cases, further investigation is requested of the United States consul in Manila—a move that independently creates an additional 6 to 12-months delay. As a general rule the validity of Philippine documents is questioned, and even in many deportation hearings, further independent corroborative evidence is required where none would have been had a native of a different country been involved. The baseless intensity with which particular individual investigators pursue Filipinos has blinded most of the investigators. One investigator who thrives on "getting" Filipinos has been nicknamed "Mr. Filipino" by his cohorts.

Filipino War Veterans

During World War II thousands of individuals who were natives of the Philippines, England, Iceland, North Africa, and the islands of the Pacific fought in the Armed Forces of the United States. In 1942 Congress amended the Nationality Act of 1940 to extend the benefits of United States citizenship to those individuals. Naturalization examiners were thereby appointed to confer those benefits on noncitizens outside the jurisdiction of naturalization courts. Between 1943 and 1946 these officers traveled from post to post, through England, Iceland, North America, and the islands of the Pacific, naturalizing thousands of foreign nationals pursuant to the mandate of Congress.

The story in the Philippines was different. After the Japanese occupation of the Philippines ended, an American vice consul was authorized to commence naturalization proceedings in 1945. Almost immediately thereafter the Philippine Government expressed its concern that Filipino men would be leaving the territory after being granted United States citizenship. In response to these concerns, the INS recommended to the Attorney General that authority to naturalize be revoked in the Philippines. The Attorney General approved that recommendation on September 26, 1945, and the authority of the vice consul to naturalize alien servicemen immediately stopped. Because of this action there was no authorized naturalization representative in the Philippines. With no means available to become naturalized, most

Filipino servicemen were discharged from the Armed Forces later, thereby losing their rights to claim citizenship.

In 1973 the United States Supreme Court dealt a devastating blow to these Philippine Scouts who had served so valiantly for the United States. In *INS* v. *Hibi,* 414 U.S. 5 (1973), the Court denied the naturalization petition of such a veteran because he had not filed by December 31, 1946, when the relevant law expired. Even though the United States had failed to inform him of his right to citizenship and had failed to place a naturalization officer in the Philippines during a long crucial period, the Court determined that there had been no "affirmative misconduct" on the part of the Government.

However, armed with new legal theories and additional evidence of "affirmative misconduct," a group of Filipino war veterans sought naturalization benefits in 1975. In *Matter of Naturalization of 68 Filipino War Veterans,* 406 F.Supp. 931 (N.D. Cal. 1975), a Federal district court judge found that eight of the petitioners had demonstrated clear evidence of affirmative misconduct; *viz.*, evidence that they had indeed attempted to apply for naturalization prior to December 31, 1946, and either no action was taken on their applications, or they were told that no action would be taken on their applications. The district court found that although 53 of the peitioners had not taken timely steps to be naturalized before December 31, 1946, they had been denied due process of the law by the Government's failure to have stationed in the Philippines a representative of the INS authorized to naturalize members of the American Armed Forces, as it provided in other parts of the world.

Although there was initial indication that the INS would accept the decision of the district court, the INS subsequently yielded to conservative congressional pressure and appealed the portion of the decision dealing with the 53 petitioners who had been deprived of their due process rights. Today, pending its appeal, the INS continues to oppose petitions for naturalization of honorably discharged Filipino war veterans if they had taken no steps to become naturalized prior to December 31, 1946. This is despite the fact that they were not informed of their rights and there had been no naturalization officer stationed in the Philippines as mandated by Congress.

Such a position serves as sad commentary to the abandonment of Filipinos who came to the aid of the United States in time of war and who, in many cases, fought side by side with Americans.

Exchange Visitors from the Philippines

One of the most shocking examples of exploitation of Filipino and Filipina nonimmigrants came to a head 2 years ago when evidence surfaced that exchange visitors from the Philippines were being greatly mistreated by sponsoring American farmers. The program, which was sponsored by the National 4-H Club Foundation, had the blessings of both the State Department and the INS and was billed as an agricultural education program for hundreds of top students from the Philippines.

In fact, what the program amounted to for most students was experience as cheap farm laborers. Poor working conditions and substandard housing were the rule, not the exception. One trainee was forced to live in a converted chicken coop with only a bucket for a toilet and a pan of heated water for his bath. Another took turns sleeping with the pigs two or three times a week to care for farrowing sows. As if these conditions were not enough, there was a serious question over the money for services rendered. Under the program participating farmers were instructed to pay most of the promised salary for each trainee directly to the 4-H Foundation. The participants understood that the money would be disbursed to them at the end of the 2-year program, less expenses. The results should appear predictable. For example, one group of 72 trainees whose program ended in June 1977 eagerly awaited the disbursement of the $410,000 they had earned after working 10 to 16 hours per day for 2 years. Their expenses, according to 4-H, came to $360,000. One young Filipino received a final check of $135.80. The biggest check anyone received was $880.

There were other serious complaints of lack of organization to the program, retention of passports by the 4-H, unfixed working hours, inaccessability of the participants to financial records, and the termination of persons from the program for voicing criticism. It was difficult to believe that both the State Department and INS allowed such a situation to continue for more than 4 years. The situation was not even partially resolved until trainees were bold enough to come forward, and community agencies rallied their cause before the 4-H, the State Department, and INS. The situation, however, should not have even developed if even minimal scrutiny by Government officials had been done at the inception of such a program.

Filipina Nurses

Even today, Filipina nurses who have received labor certifications from the Department of Labor and immigrant visas from the State Department and INS are suffering from a stamp of inferiority by employer hospitals. Although these nurses have had specialized training in both the Philippines and the United States, there is overwhelming evidence of discrimination in hiring by Federal military hospitals and discrimination in salary scales in private and county hospitals. The Equal Employment Opportunity Commission is presently investigating a class action complaint against not only hospitals, but also the unions involved. Both the Department of Labor and INS should take further steps in scrutinizing applications by employers for Filipina nurses to ensure that only prevailing wages are paid, but that qualifications are adequately compensated for. But rather than taking such action, there is now indication that the various agencies involved are taking steps to deny further entry to such nurses into the United States.

Apparently with questionable authorization, the Commission on Graduates of Foreign Nursing (CGFNS, now under the umbrella of the American Nursing Association), is administering worldwide screening examinations for foreign nurses who want to practice in the United States. Only those nurses who pass the exam will be eligible for occupational preferences from INS and labor certifications from the Department of Labor. The move is ominous for Filipina nurses because the American Nursing Association is the parent nurses union that is being investigated by EEOC as one of the coconspirators in the discrimination class action brought by Filipina nurses.

Chinese

The "Island"

Europeans had their Ellis Island, but for Chinese immigrants INS used Angel Island for "screening." To the Chinese community, it is simply "the Island," because for them, it was no place for angels. Between 1910 and 1940 the Island, located in the middle of San Francisco Bay, was used as an immigration station where approximately 50,000 Chinese were confined while the United States made up its mind whether it wanted them or not. Many were rejected, and some committed suicide there or on ships bound back to China.

The Island was the first impression that the Chinese people received of America. There were about 100,000 Japanese who went through Angel Island, but none was detained. For most Chinese it was an agonizing 1 to 6 months of prisonlike isolation and grueling interrogation, not knowing whether they would be admitted or turned back. Life was regimented, with lights out at 10 p.m. The food was unpalatable, and the Chinese were kept in cramped quarters, forced to sleep in beds tiered three high. The women and children were given almost unlimited time to be outside, but the men, housed in another building and separated by a high fence, were allowed out to exercise only about an hour a day. They were under constant observation by immigration authorities and were kept from talking to employees. The emotional scars from such an experience are deep.

Reunification of Families

Owing to an historical lack of birth and marital records in mainland China, Chinese in the United States today seeking to be reunited with family members abroad experience considerable difficulties in petitioning for their relatives. For most non-Chinese the process is simple. If the relative abroad is one who falls under an immediate relative or preference category, a petition is filed at INS with evidence of the relationship, i.e., birth certificates, marriage certificates, family registries. The processing time varies from district to district; however, an interview is required in only the most unusual cases. In contrast, when a Chinese person files such a petition, a long list of "secondary" evidence of the relationship must be submitted to INS in support of the petition, or else the petition will be returned. Additionally, the requirement of an interview is the rule in Chinese petition cases. The result is an additional delay in processing time of from 6 to 18 months, or even more. If secondary evidence is not available, the Chinese petitioner is usually out of luck and effectively is barred from reunification with the relative abroad.

The secondary evidence usually takes the form of photographs, old correspondence, school records, money receipts, old Hong Kong documents if Hong Kong was ever a place of residence, affidavits of others, and, in some cases, blood tests. The burden to produce this evidence has always fallen on the shoulders of the petitioner who, by the nature of the requirements, is expected to exhibit packrat characteristics. More often than not, the petitioner is advised to correspond with the relative abroad and to request that the relative obtain documents in China. The request is extremely unreasonable given the fact that most of the relatives abroad remain in small villages, are not particularly mobile, and are unfamiliar with formal documents.

Normalization with mainland China has not, for the most part, helped to alleviate the problems. The large numbers of emigrants recently from China are generally persons who have been beneficiaries of approved petitions for 5 to 10 years. For other persons seeking to leave China today to join relatives in the United States, the problems of proof of relationship remain the same. In fact, after normalization occurred, certain documents of the local commune authorities that had theretofore been unquestioned were suddenly being questioned, and it was required that they be authenticated by United States officials in China even though those officials had not yet been stationed. Similarly, there are reports that the local commune officials would not provide the documents requested unless approval has been granted by United States immigration officials. However, as mentioned above, INS often conditions its approval on the receipt of the requested Chinese document!

The situation is fraught with inconsistencies in the requirements of secondary evidence. Often INS examiners do not realize that a document produced by one petitioner is not easily obtainable or was never possessed by another petitioner. INS examiners themselves cannot give a definitive list of what will be required of given petitions. As of the date of this report, the local INS Chinese section in San Francisco, which handles the most Chinese petitions in the country, could not state for sure what their policy with respect to document requirements would be next week. The effect is a mess, because not only petitioners themselves but the community agencies that assist petitioners and private attorneys are left in a constant state of confusion over what will or will not be acceptable and sufficient secondary evidence. The only thing for certain is that a Chinese petition will take more time to process than any other.

Chinese Cuban Refugees

Another obvious inconsistency in immigration policy that has resulted in clear discrimination against Chinese is revealed in an examination of the Cuban refugee program.

Immediately prior to and subsequent to the Communist takeover of mainland China in 1949, thousands of Chinese nationals immigrated to Cuba. Commencing in 1959, the Cuban Government, under Fidel Castro, turned that country into a Communist-dominated area as well and enacted laws confiscating private property and other legislation affecting the rights of its people. As a result, Cuban nationals began to seek and were granted asylum in the United States. In early 1961 President Kennedy directed the establishment of the Cuban refugee program, and in June 1962 Congress authorized the President to render further assistance to qualified refugees in the need of assistance for essentials of life and assistance to the State or local public agencies for other services. The program was assigned to the Secretary of Health, Education, and Welfare.

Their plight, being what it was, necessitated the acceptance of financial assistance by substantial numbers of these Cubans refugees—assistance provided under the Cuban refugee program.

In the Act of November 2, 1966, Congress provided for the adjustment of status of Cuban refugees to that of lawful permanent residence in the discretion of the Attorney General. However, when Cuban refugees who had been receiving financial assistance made application for permanent residence, their applications were initially denied under INA section 212(a)(15), 8 U.S.C. §1182(a)(15), on the grounds that they were likely to become public charges. However, in

Matter of Mesa, 12 I&N 432 (Dep. Assoc. Comm. 1967), the position of INS was administratively reversed. The basis of the new position was a realistic reading of the intent behind the Cuban refugee program and the granting of asylum to Cuban refugees. Indeed, President Johnson had directed a waiver of permanent residence application fees on humanitarian grounds, because most Cuban refugees were unable to accumulate very many resources in a 2-year period.

The new INS position on this issue was applied consistently to all Cubans refugees until approximately 2 years ago when INS began distinguishing between refugees who were natives of Cuba and refugees who were natives of other countries. e.g., China, even though all of these applicants had fled Cuba and were paroled into the United States as Cuban refugees. Today, if the applicant for adjustment of status has received financial assistance under the Cuban refugee program (even though after January 1975 the monies were not labeled as such), but is not a native of Cuba, the application will be denied on the grounds that the person is likely to become a public charge. This is in spite of the fact that the person was paroled into the United States as a Cuban refugee. The effect of this revised position of INS falls most heavily on Chinese, who make up the largest number of non-Cuban national refugees from Cuba. Such a harsh position was certainly not intended by Congress, particularly in light of recent legislation waiving the public charge grounds for exclusion for Southeast Asian refugees applying for permanent residence. Yet INS continues to deny applications for permanent residence for Cuban refugees who are Chinese if they have received public assistance.

Samoans

Samoans in the United States are composed of two major groups—American Samoans and Western Samoans. American Samoa is comprised of six islands and is a United States possession in the Pacific. American Samoans are classsified as United States nationals and enjoy diplomatic protection and right of free entry to the United States, but have virtually no political rights. Western Samoa, which consists of nine islands, is a self-governing nation, and Western Samoans are considered aliens for purposes of United States immigration laws. However, travel restrictions between the two Samoas do not exist. Immigration problems arise very frequently for both Samoan groups in the United States because they are *de facto* one people—historically, linguistically, and culturally. Therefore, the line that separates these two technically distinct sovereignties does little to separate ancestral roots or familial relationships. Many American Samoans are married to Western Samoans, and many siblings were born on different sides of the border.

The problems arise when an American Samoan seeks to petition for his or her Western Samoan relative abroad or for a visiting relative who seeks to remain permanently in the United States. Here again public charge factors play a large role in the denials of many Samoan immigration cases. Often the American Samoan or his or her United States citizen minor children have found it necessary to apply for and to temporarily receive some form of public assistance, e.g.,aid to families with dependent children, supplemental security income, or some form of medical benefits. Their right to such benefits is not questioned. However, the final visa or adjustment of status approval for the relative who seeks permanent residence is usually conditioned upon the posting of a large public charge bond. This is generally the case even if the American Samoan petitioner is now working and no longer is receiving benefits, and employment for the new immigrant has been assured.

The requirement of public charge bonds in such cases is particularly uncalled for because usually the income involved far exceeds poverty guidelines established by the Community Services Administration. But merely because the American Samoan at one time found it necessary to receive public assistance benefits, that person and his or her prospective immigrant relatives are forever branded by INS as likely to become public charges.

The usual amount required in public charge bond cases is $5,000, but they have been known to range as high as $15,000 for a single alien. The requirement of a bond itself is incongruous with the result sought. It is puzzling to comprehend how the requirements of the posting of a $5,000 or $10,000 public charge bond will make a person less likely to become a public charge.

It can be readily seen that such a requirement itself creates financial problems for a new immigrant from the inception of his or her residence in the United States, making that person a more likely candidate for public assistance if adversity strikes. The entire public charge bond scheme must be reevaluated for all immigrants, but particularly for Samoans who seem to have been cursed with a poor rating by INS officers in terms of public charge issues.

Samoans have only recently organized themselves more effectively in the United States. Difficulty in obtaining data on Samoans in the United States stems in part from the Census Bureau, which classifies them under the "all other races" category. But it cannot be forgotten that many Samoans enlisted in the United States Armed Forces in World War II, and in the same tradition American Samoans today continue to send sons and daughters to serve in the various military branches of the United States. Sensitivity to all facets of Samoan life and tradition is nonexistent in the INS, and there appears to be no serious desire on the part of district offices to step up ties with the Samoan community.

Other Considerations

English Literacy Requirement for Naturalization

The English literacy requirement for naturalization continues to serve as an effective deterrent to citizenship for most elderly Asians and Pacific immigrants. It is considered by most to be a continuation of the historical prohibition to naturalization of Japanese and Chinese. Without the benefits of naturalization, these persons are prohibited from entering the mainstream of American life. For example, all Federal civil service jobs and certain State police positions and local teaching posts are limited to citizens. Of course, the right to vote is only extended to citizens.

Congress' preservation of the English literacy requirement for naturalization is irrational. There is no constitutional requirement to condition citizenship on English literacy nor is there any historical evidence that the framers of the Constitution intended our society to be uniform in language or tradition. To the contrary, history reveals that the thrust of independence for the Colonies was diversity and sovereignty and a guarantee of rights for all people. The United States has allegedly held its arms open to all peoples and has promoted its "melting pot" image to all the world.

Although there is a waiver of the English literacy requirement for naturalization for petitioners over age 50, there is an additional requirement that such a petitioner must have been a lawful permanent resident in the United States for over 20 years. The requirement is still applicable, therefore, to the elderly who have not resided in the United States for 20 years, nor to persons such as elderly Chinese who have lived here for 40 or more years, but who went through confession programs in the 1960s and only then established lawful permanent residence. The English literacy requirement is considered as a threat to the perservation of the old traditions and customs by the elderly. It also ignores the fact that most of these persons can survive totally in their communities without English and, through the excellent non-English media available, remain abreast of current events and government happenings—presumably one of the reasons behind the English literacy requirement.

Furthermore, the English literacy requirement for naturalization is completely inconsistent with the position of Congress on the right to vote. In the 1975 amendments to the Voting Rights Act, Congress strongly indicated its strong opposition to English literacy requirements for the franchise in its mandate to State and local governments to provide bilingual ballots and voter materials. The amendments came in recognition of the fact that non-English-speakers are as well-informed as the English-speaking electorate. The next logical step for Congress to take has not arrived, namely, the elimination of the English-literacy requirement for naturalization so that these people can meet the citizenship requirement to register to vote.

However, given the English literacy requirement, INS itself could do a great deal to alleviate the trauma to most people involved in the naturalization process. Greater sensitivity and patience exhibited to the elderly petitioners by naturalization and examiners would be a good start. Additionally, history and government questions that are customarily administered in English could be given in the petitioner's native language. This procedure would be consistent with the statutory layout of the English-literacy and history-government requirements, which fall under two separate subsections of INA section 312, 8 U.S.C. §1423. Naturalization rights will then become more readily available to our elderly Asian aunts, uncles, and grandparents who have, in fact, historically been some of the most loyal residents of the United States.

Cultural and Social Considerations

Greater sensitivity on the part of INS is sorely needed in the area of family law-related issues, not only with respect to the statutes of various Asian and Pacific countries, but also with respect to the religious and social cultures involved. Even where the foreign law permits the action involved, INS often will oppose the situation if it is uncommon to United States tradition. Such opposition initially existed to single-parent adoptions common among Chinese women. Today, many culturally accepted Chinese adoptive relationships are not being recognized by INS due to lack of formal documents, even though the children involved have lived with the adoptive parents for years. Without formal documents, most of the technical requirements for adoptions found in INA section 101(b)(1)(E), 8 U.S.C. §1101(b)(1)(E), cannot be met.

Issues involving concubines and their offspring have produced volumes of litigation due to the lack of cultural sensitivity to such relationships on the part of INS. Even now an adult son of the first Chinese wife cannot petition for the concubine if the first wife is still alive. This is so even though that son has resided with the concubine in a parent-child relationship.

Problems with respect to so-called "illegitimate" children who wish to immigrate arise quite frequently among people from the Philippines. Strict compliance with the language of INA section 101(b)(1)(C), 8 U.S.C. §1101(b)(1)(C), has effectively foreclosed immigration for the parties to such natural parent-child relationships. This strict application of the immigration laws operates in blind disregard of the strong religious and legal prohibitions against divorce in the Philippines—prohibitions that do not exist in most other countries and that would, therefore, not have prevented the immigration of the parties involved. The victim of the strict interpretations is the guiltless party, i.e., the child.

Lack of sensitivity of among INS examiners and investigators to the Japanese experience in the United States plays a large parts in the hesitancy of many elderly Japanese to apply for naturalization benefits. For years Japanese and other Asians were held to be ineligible to become naturalized citizens because they were not "free white persons," *Ozawa v. United States*, 260 U.S. 178 (1922). And any insensitive interrogation by an INS examiner may be reminiscent of what 110,000 Japanese Americans were subjected to during World War II in the infamous internment camps.

Young Japanese students in the United States have not escaped the grip of the INS. As recently as 3 months ago, carefully planned raids of Japanese restaurants by INS investigators during business hours netted several foreign students with allegedly no employment authorizations. In the process INS investigators also inadvertently arrested a United States citizen who is presently contemplating a civil action against the INS. There was no reason for using raids as a first resort in these situations. Apparently the INS had been provided names of students by informants and presumably could have used a call-in letter approach for those students. INS had no past negative experience with such students in terms of absconding, but still opted for a method that terrorized a large portion of the Japanese community.

Some Recommendations

The Immigration and Naturalization Service has always been a nemesis to Asian and Pacific persons. The historically explicit discriminations against them in the immigration, employment, business, and educational laws of the United States have prompted a great distrust and fear of the INS. Reports of harrowing experiences with the INS are as rampant as ever. Rumors of amnesty, of procedural changes, of new hope, of lost hope continue to abound. The time has perhaps overripened for changes in INS attitudes and treatment of citizens and aliens of Asian and Pacific descent. However, much can be accomplished to inject some degree of trust and faith in the INS on the part of these people—trust and faith that heretofore was either nonexistent or, at best, fleeting.

INS must open itself to the public and actually provide a service as its name expresses. The INS could be demystified to a large extent by constant involvement of INS personnel in community affairs and presentations on immigration rights. Although the Central Office of INS has attempted such endeavors, it has failed to get local INS officials involved in the communities that they serve on a continuing basis. If the problem is lack of enthusiasm or interest on the part of local officials, then they should be removed.

Bilingual examiners and investigators must be hired by the INS. It is appalling that in a cosmopolitan district such as San Francisco, for example, there are no examiners who speak Chinese (any dialect), Japanese, Tagalog, Ilocano, Vietnamese, Samoan, or Tongan. There is only one investigator who speaks limited Cantonese. The present procedure at INS for interviewing a non-English-speaking Asian or Pacific person is to have clerical or outside interpreters brought in for purposes of translation. This means that INS is paying two persons, the examiner (or investigator) and the interpreter, for conducting a single interview. It is amazing that by this time in our history that neither through attrition nor affirmative action have there been any fluent bilingual persons promoted or appointed to those positions. Instead, the system appears to have perpetuated the discriminations in immigration against Asian and Pacific persons as evidenced by the fact that those persons of such extraction employed by INS have not reached levels of examiners or investigators. It is quite clear that the thought of an Asian or Pacific person in an adminstrative position higher than an examiner or investigator in San Francisco cannot have ever seriously been raised. The need for bilingual examiners and investigators is obvious. Also, with the additional input of bilingual personnel in such positions, the chances of increased sensitivity to cultural, religious, and social differences in Asian and Pacific persons are bettered.

Numerical limitations on the number of immigrant visas available to foreign Asian and Pacific countries must be reevaluated. Presently, key categories of the preference system are backlogged for many years, preventing reunification of family members from China, the Philippines, and Hong Kong. The 20,000 immigrant visas available to China and the Philippines are not sufficient for the present demand. The present demand for visas from those countries is attributable to many factors, not the least of which are the effects of past exclusion acts directed at Asians and the national origins quota system of immigration in effect up until 1965. Under that system 98 percent of the total annual quota for immigration was distributed to European countries, while only 1.35 percent was allocated to the so-called Asian-Pacific triangle area. Therefore, the 20,000 visas granted annually to China and the Philippines under INA section 202(a), 8 U.S.C. §1152(a), while on its face appear to be on par with the rest of the world, fall far short of alleviating the effects of the past discriminatory immigration laws. The numerical limitations for China and the Philippines should be expanded to accommodate the present understandable demand.

As for natives of Hong Kong, their plight is even worse. They are limited to only 600 visas per year under INA section 202(c), 8 U.S.C. §1152(c). However, they, too, are placed in the same predicament because of the historical immigration discriminatory laws. For Hong Kong, however, a simpler solution would be to allow Hong Kong natives to use visas remaining each year from the 20,000 numerical limitation granted to Great Britain.

Through these amendments to the numerical limitations, a major advance will have been made in correcting the past wrongs directed at Asian and Pacific persons.

Closing

Years ago when first-generation Chinese Americans sought to see the barracks at Angel Island where their fathers and mothers had been held, their requests were not only rejected, but officials denied that the island was ever used for the immigration purposes that have now been confirmed. Present immigration policy in many respects also attempts to cover up and ignore the past discriminatory immigration actions taken against Asian and Pacific persons. Congress and the INS shall not, however, be permitted to forget the past, for only then can present and future immigration policy be set in a manner that is at last free of the prejudices that our people have consistently faced.

I have always admired America as a land of promise.

Immediately I raised money and set out on my journey.

I endured rough winds and waves for more than a month;

Now I am trapped in this prison place.

I look out and see Oakland so close, yet I cannot go there.

I wish I could go home and be a farmer again.

My heart is filled with sorrow and I cannot sleep.

I write these words to express my sadness.

Translation of a Chinese calligraphy found on the walls of the barracks at Angel Island. Author unknown, c. 1910–40.

Pacific Americans' Concerns

CHAIRMAN FLEMMING. Next major item on the agenda deals with the question of Pacific Americans concerns. And Commissioner Freeman will preside on the first panel while it makes its presentation.

COMMISSIONER FREEMAN. Will the panelists come forward and take your seats, please? Dr. Faye Munoz, Ruth Van Cleve, Ms. Paige Kawelo Barber.

Thank you for coming. Our first panelist will give the—give an overview of Pacific Americans' problems. Dr. Faye Untalan Munoz is the present director of the Racial Minority Mental Health Training Program at the Western Interstate Commission for Higher Education in Colorado.

Dr. Munoz?

Presentation of Dr. Faye Untalan Munoz, Director, Racial Minority Mental Health Training Program, Western Interstate Commission for Higher Education, Boulder, Colorado

DR. MUNOZ. Thank you. Hafa dai. I am very happy to be here to address this distinguished panel of Commissioners and interested audience. I am sorry, however, that we have such little time to deal with problems of centuries of what I call exploitation, degradation, and neglect.

I am supposed to provide you with an overview of Pacific Islanders. That is one of the most difficult tasks. Therefore, I would like to say that my presentation will be more of the case for Pacific Islanders in America. And our Asian brothers and sisters, our involvement in relationships with the United States are both historically and politically different.

Pacific Islanders include a conglomerate of peoples of Polynesia, Malaysia, and Micronesia scattered throughout the Pacific Ocean. Our concerns today are clearly those islands under U.S. jurisdictions, the protectorates, the trustees or territories, and these will include American Samoa, Guam, the Commonwealth of North Marianas, and the U.S. Trust Territories of the Pacific.

I have lived and worked closely with many of the Islanders but my knowledge and skills are more about Guam, my native home. Therefore, the bias of my presentation will be reflected.

The U.S. Trust Territory plus Guam and the Northern Marianas make up the Micronesia group which consists of about 3,400 islands, islets and atolls; Micronesia spans approximately the area of the U.S.

Thus, one can broadly imagine the Marshall Islands in Florida, Ponape in Missouri, Yap in Colorado, the Marianas in Washington State, and American Samoa somewhere in the Caribbean.

The Marianas Islands are Guam, Saipan, Tinian, and Rota. Since Saipan, Tinian, and Rota now constitute the Commonwealth of Northern Marianas, Guam may be appropriately called the Southern Marianas. The people of the Marianas are of the same culture, race, and the native inhabitants are Chamorros, thus Chamorro describes the people, the culture, and the language of the Marianas Islands.

Very little data concerning Pacific Islanders are available beyond this stereotypical description of the islanders as exotic and romantic peoples. Data which could provide comparable analysis of the different island groups in political, social, economic, and religious experiences are lacking.

The islands have been inundated during the past 300 years with numerous explorations, colonizations, Christianization efforts. The consequences, sometimes beneficial and sometimes destructive at the same time, are immeasurable.

As Western civilization comes to the island people, so are their traditional ways irrevocably changed. In recent years growing numbers of people from the South Pacific Islands have been coming into the U.S. Many are brought by tourism and entertainment. The military draft, however, has played a paramount role in influencing migration while the quest for better education and economic opportunities became a secondary motivation and appears to be the continuing trend.

Today, American Samoans, Chamorros, Native Hawaiians, and other Trust Territory islanders all share something in common, their islands are part of the U.S. territory, making the Islanders U.S. subjects or citizens unlike some of your other neighbors.

As U.S. territorial citizens Samoans and Chamorros do not have full voting rights or representation in the U.S. Government. They have—thus they have no effective voice in U.S. policy or decisions but are subject to Federal legislation like the military draft had been.

The Organic Act of Guam in 1950 ended 50 years of naval administration of Guam and established a civilian government. However, it was not until 1970, after 20 years of U.S. President-appointed governors that Guam elected its first native governor.

A U.S. bill enacted in 1972 gives Guam one elected member of the U.S. Senate of Representatives—U.S. House of Representatives, I'm sorry—however, he may only vote in committee but not on the floor of the House.

The geographical distance of the islands from the U.S. and their unfamiliarity to the people in the United States, especially to decisionmaking leaders, and their role and use as defense bases for the United States make the Islanders a particularly vulnerable and neglected people.

The fact that the administration is placed under the Department of Interior leaves question as to their importance of priority for this country as a group of people, and not merely a defense resource for the United States in the far Pacific.

The introduction of the money exchange system and working for wages caused a major shift in the lifestyle and living conditions of the Islanders. Family relocation following particularly World War II also caused family separation, breakdown of the bonds which provide strong social, economic, and psychological support of the members.

These changes have drastically altered traditional lifestyles and eliminated those skills which have allowed them to survive over the centuries.

One of the most significant changes on the island has been the tremendous increase in population. In 1901, the early census taken of Guam, the population was only 9,676. In 1970 it had reached 84,996, a figure which excludes military personnel stationed on the island.

Rapid growth has not been exclusive to Guam. However, as I look at the population of American Samoa, the Trust Territories, the Commonwealth of Northern Marianas, and so on, according to the 1950 census American Samoa had a population of 19,000. The Trust Territory had a population of 57,000, and in 1970 the population of American Samoa had doubled, reaching 27,159. The Trust Territories also went up to 99,940.

Based on the census estimates, the population increase has continued into the '70s with an estimated population of 28,000 in 1973 on American Samoa, 108,000 for the Trust Territory islands, and 100,000 on Guam.

In other words, the population of the entire area almost doubled exactly over a period of 25 years, and of the three island groups, Guam has the oldest median age which is 20.4 years compared to 16.9 for the Trust Territories, and 16.1 years for American Samoa. The number is, of course, much less on the mainland, and my rough estimate will be that approximately 100,000 of the Samoans, Chamorros, and other Micronesians are in the mainland; a larger number is estimated for Samoans and Native Hawaiians.

You will note by these figures that we are talking about a very small number of people, but of a total race, an endangered species, it is estimated only 300,000 Native Hawaiians exist today.

With migration and the influx of other cultures into the islands increasing, the native population find themselves losing not only much control of their island, but also having difficulties adjusting to the many changes.

Numerous newcomers from advanced cultures are more equipped with technological professional skills, thus this, in a sense, is pushing out the indigenous population from the labor market.

With this extremely sketchy background, I would like to emphasize some issues with regard to Chamorros and other Pacific people that may serve those of us here today as background as we hasten to review their concerns.

One point, the islands did not wage war against the United States but are victims of colonial and territorial expansion, like the American Indians which, as a result, forced these islands to be dependent on the U.S. Thus stripped of their indigenous native control over their resources—largely the sea and the land—and over their own social, economic, political systems, they have had and continue to struggle to survive maintaining, on the one hand, their traditional cultural integrity, and, on the other, to cope and adapt to a system alien to their own and, in many instances, sources of conflict and detriment to their cultural values, beliefs, lifestyles and tradition, which have been the substance for their survival as a distinguishable people.

And like the blacks in their struggle for freedom from slavery and continuing with their civil rights and fights against social and political injustices, Islanders are faced with the dilemma for the same rights and their rights for self-determination on their island as every American aspires.

Another issue is that of ethnic identity. Chamorros are the indigenous people of Guam Island. For political expediency, Guamanian was created to separate the racial and cultural ties of the Marianas. What is a Guamanian other than a resident of Guam, while Chamorrosa instills pride of culture, language, lifestyle, and roots to the island of the Marianas. And despite the numerous separation and political alienation of the people of the Marianas, families from these Marianas Islands share common ties and maintain their familial relationships.

This new sense of identity placed upon Chamorros creates problems of sovereignty to the islands as others migrate and settle and take away certain rights of the Chamorros people which they, as indigenous people of a now occupied and owned land by the United States, may have entitlements to the Native American Act as Native Hawaiians and Indians are entitled.

A third point I would refer to is the U.S. census. The U.S. census has not and continues to ignore the counting and documentation of people from Guam, American Samoa, Native Hawaiians, the people from the Commonwealth of the Trust Territory of Northern Marianas, and the trust territory people now living in the U.S. Note the reasons for referring to Hawaiians as Native Hawaiians; now this is precisely the kind of problem that we're concerned with on Guam.

There are neither native Californians or native South Dakotans used for ethnic/racial status; however, we now refer to Native Hawaiians in order to keep track of the people who were there originally. Likewise, with the Marianas, if we continue on the design to rename people and recategorize them, sooner or later Chamorros will be a race of people that will be completely lost from the history of this world.

Lacking such data on needs for employment, socioeconomic conditions, bilingual education, etc., have deprived Islanders of all benefits under very many Federal programs, and thus reasons for neglect.

In light of the size, the distribution, and the characteristics of Chamorros, Samoans, and other Islanders from the U.S. territories, it is imperative that a special study be done on the Islanders to determine their needs, to identify their problems, to develop policies and programs that will assist in bringing equity to the injustice that they have so long endured, and to find out why the people of Guam and American Samoa are flocking to the U.S. mainland, when so many people here would say, "Why don't you want to live in that lush island?"

The census itself serves as a method for numerical annihilation for Pacific Islanders—did you say I have a few seconds?—let me go on. The policy to open Guam to foreign immigration to the U.S. without subsidy is a detrimental and costly aspect for the Islanders. I believe it's a policy not based on an enlightened interest for the people, and though we do obtain have some benefits from our sisters and brothers from the Philippines and Asia, this kind of a policy ignores what the impact of this might be to the native people of Guam.

I'd like to quote this, that under the United Nations Charter, the U.S. is required to recognize the principle that the interest of the inhabitants are paramount and it is the sacred trust, the obligation to promote those.

It has been difficult not to see that the U.S. has abused that trust. Little has been done except in the interest of the U.S. and it's my hope that the issues and problems we raise today may guide our conscience and our efforts to establish policies and programs which promote and enhance the welfare of our Pacific Islanders in the United States.

COMMISSIONER FREEMAN. Thank you.

Ms. Ruth Van Cleve, Director of the Office of Territorial Affairs, Department of Interior, will speak on Federal policy.

Presentation of Ruth Van Cleve, Director, Office of Territorial Affairs, U.S. Department of the Interior

Ms. VAN CLEVE. Thank you very much, Madame Chairman.

I understand that I have roughly 10 minutes. I responded to the invitation to join you today, which invited me to speak to you on the subject of current Federal policy concerning Pacific Americans in the U.S. by noting that that is not within my jurisdiction. I can speak only about Federal policy in the Pacific territories for which the U.S. has responsibility. The orchestrators of the conference believed that that would be appropriate, and with your blessing, I will proceed along those lines.

I was also told that it might be helpful if I gave you a kind of quick gazetteer of the territories, but that has so ably been done by my predecessor that I will not go through that process in any detail. I think I will repeat one or two points so that you clearly have an overview of the area about which I'd like to express some points of view.

You will realize, perhaps, that as the Director of the Office of Territorial Affairs in Interior, I may sound somewhat self-serving, particularly in light of the fact that I have been involved in the business since roughly 1950. Accordingly, I could be said to have something of a vested interest in the attitude that the United States has brought to bear upon these areas.

Now, first, the areas with which I would like to concern myself are those that have been named: the Territory of Guam, the Territory of American Samoa, the incipient Commonwealth of the Northern Marianas, and then that vast area in the Pacific lying between Honolulu and Guam, known alternatively as Micronesia or the Trust Territory of the Pacific Islands.

My office has jurisdiction also with respect to the Virgin Islands, but I realize that's the wrong ocean for purposes of this consultation.

We also have responsibilities for bits and pieces in the Pacific that are not now relevant because they have no native populations. I refer to such places as Wake, Howland, Baker, Jarvis, Canton, Enderbury—interesting places, but not currently relevant. So those are the four areas of greatest concern.

It was suggested to me that you might find interesting the process that we are currently going through to bring Micronesia into a new status in relation to the United States and I'll devote a moment to that.

The Trust Territory of the Pacific, as I'm sure you know, is that area wrested from the Japanese as a result of very sanguinary conflicts during World War II, an area that was mandated to Japan under the League, and before that it was held by the German Empire.

The United States has been responsible for the area under the U.N. trusteeship system since 1947, the Interior Department since 1951. Our obligations under the charter and under the trusteeship agreement are to encourage the economic and political and social development of the

Trust Territory, and we have tried to do all of those things. We've done them with mixed results.

We have done, I think most observers would say, quite a good job on political development. Americans are quite good as exporting their democratic system. We have done less well in connection with economic development, in some measure as a consequence of the intractable problems of that area, limited resources, difficult geography, and so on.

We have had some success in the area of social development, which is to say that we have, through very extensive Federal expenditures, particularly in the last 20 years, brought an education system to the Trust Territory which is at least vastly better than what it knew before, and which seems to be very welcomed by the people of Micronesia.

The population statistics which you heard and which I believe to be accurate, for they're roughly the ones we use, attest to the vigor and success of our health system.

In any event, the time has come when the status of the Trust Territory, as a U.N. trust, should be brought to an end. The President has announced that he hopes that this can occur by 1981.

Accordingly, there are going on these very days intensive negotiations between the President's ambassador and representatives of the Micronesians, looking toward a new status which, if current signs are accurate, should result in the creation of three units of government in the portion of the Trust Territory that excludes the Northern Marianas. These would be unique in the world history. They would be called freely associated states; they would rely upon the U.S. for a considerable amount of financial assistance for 15 years. The result, thereafter, would not be addressed at this moment in history.

The entities would not be territories of the U.S. because they would not be that closely affiliated. They would not be wholly independent governments because they would continue to maintain close ties with the U.S. This is the direction in which the Trust Territory is moving.

One piece of the Trust Territory has already moved, that is the Northern Marianas, which has chosen, through complex political devices, to become a commonwealth of the U.S., a term which is somewhat similar to "territory of the U.S." for U.S. constitutional purposes.

In short, the Northern Marianas is on its way to being part of the American political family in the same way that the other territories that I've mentioned have done.

I would at this point like to touch very briefly on a few subjects in relation to the territories that I presume, from what I have heard in the course of the last hour or so, will be of special interest to you. And I hope I will be guessing right.

First, may I say that in the almost 30 years during which I've been associated with the business of territorial administration, the principal Federal policy with respect to the Pacific Islands, and indeed the territories in general, has been a combination of encouraging self-government and of deferring to the time-honored principle of self-determination.

I think the record shows that these have been our guiding principles, and that we have openly complied with these principles.

For example, the people of Alaska and Hawaii wanted statehood and they got it. It took a long time, longer than some of us would have wished, but that was the route they chose to follow. Puerto Rico, as you know, did choose a different route in 1952, one that has been discussed ever since, and will continue to be so, I suppose, for a long time to come, but Puerto Rico chose something called commonwealth, which is different from anything we had then known before. There has been at least one occasion in U.S. history where a territory, the Philippines, achieved sovereign independence.

My point is simply that there has been an effort, and I think a successful one on the part of the Federal establishment, to move in the direction that the affected territory chooses.

The second point, because I heard a question earlier with respect to citizenship status from Commissioner Saltzman, is the status of some of the people of the territories. I'd like to speak very briefly to that point. The people of the Virgin Islands since 1927 and the people of Guam since 1950, have been full-scale American citizens. They were collectively naturalized during those years.

The people of Samoa have resisted that move. I have suggested to those with whom I've spoken over the years that they've probably chosen to do that for the wrong reasons. They see citizenship as constituting some kind of threat to Samoan culture. My own belief is that it would not do that, but this is unchartered legal ground, so it is understandable that the Samoans, who are a cautious people, would want to approach this matter with caution.

In any event, they are not citizens, except for individuals who have achieved it through particular personal circumstances, in most cases service with the U.S. Armed Forces.

The Samoans are nationals, and that means, of course, that they're entitled to full protection from the U.S. when traveling abroad. The practical effect of their being nationals but not citizens is that some statutes are limited to citizens, and every once in a while we have to go to the Congress and ask that a particular statute be amended to include nationals. One, a little while ago, for example, had to do with the authority of the FCC to license radio operators on boats. We got that fixed up. It would be somewhat tidier if we just converted the Samoans, in general, to citizenship, but it is not our habit to move faster than the people of a territory want to move. And to this moment, the Samoans have not suggested that they chose to become citizens.

The people of Northern Marianas will become citizens upon the termination of the trusteeship agreement which, as I've stated, may be 1981. In the meantime, they're being accorded de facto citizenship status for purposes of entry into the U.S.

I will make the further point, and I know I'm drawing to the conclusion of my 10 minutes, that each of the territories to which I have adverted has got full protection from a bill of rights—derived from different sources in different territories, but a bill of rights that is virtually a restatement of the first eight amendments of the Federal Constitution.

I should suppose that would be relevant to the concerns of the Civil Rights Commission, and I wanted to make the point.

In the case of some of the territories, particularly the Virgin Islands and Guam, the bill of rights derives from an act of Congress; in the case of Samoa, it derives from a constitution of the Samoans' own choosing. The same is true with the Northern Marianas. In the case of the Trust Territory or Micronesia, it is contained in the Trust Territory bill of rights.

These are meaningful documents; they are enforced by the courts of the territories, and to some extent they are enforced by the Federal courts because some Federal courts have jurisdiction in some of the territories.

We try to be enlightened about bills of rights, and other such things, and with that flag waving sentence I will conclude my remarks.

Thank you very much.

COMMISSIONER FREEMAN. Thank you.

Our next subject is census and immigration, and that will be discussed by Ms. Paige Kawelo Barber, who is active in Native Hawaiian and other Pacific Islands concerns and has been active since 1971, is a member of the census advisory committee on the Asian and Pacific Americans for the 1980 census.

Presentation of Paige Kawelo Barber, Field Administrator, ALU Like, Inc., Honolulu, Hawaii

MS. BARBER. Prior to sharing some of my thoughts with you, I would like to comment on the resistance of Samoans or other Pacific Islanders in being identified as Americans in the United States. The caution that Pacific Islanders express in using Pacific American terms is because not all Pacific Islanders appreciate being called Americans, and that, indeed, the quest for self-determination and self-sufficiency by Pacific Islanders throughout the world has not resulted in economic and social self-sufficiency as we would have liked because of the problems that we have encountered with the Federal divisions of the United States Government.

I have struggled with the way in which I might approach the census question in terms of the Pacific Islanders, and mentioned to one of the Commission staff persons that my particular experience has been primarily with the Native American group, and, as a result, I feel much more comfortable in sharing that particular experience, primarily because it's a unique one. And I need to mention that it is a unique one because of cultural variances. That variance caused us to organize workshops throughout the State of Hawaii in order to develop sufficient argument to influence a change in the race question in the 1980 questionnaire.

Up until 1970, Native Hawaiians were counted as Hawaiian or part Hawaiian because that is the way they identified themselves. After the 1970 census we lost over a third of the population count because of the difficulty people had when part Hawaiian was dropped from the race question.

Over the last 3 years we have consistently argued with the Census Bureau to no avail. About a year and 3 months ago we decided to take that question to the community for input through a series of workshops throughout the islands.

We also convened a group of people to discuss that issue as well as others, and that particular group had a delegation of 25 Native Hawaiians and asked us to make input on their behalf to the Census Bureau; as of today we have seen no change.

As a result of that experience, we will have to go statewide this coming year, prior to the 1980 census, to inform Hawaiians that we will not again have a part-Hawaiian category.

There have been some pros and some cons. This has enabled us to get closer to our Native Hawaiian community but at the same time there have been several questions raised regarding the lack of sensitivity of the Census Bureau and other divisions of the Federal Government regarding a vital point—accurate population counts.

I consider the Native Hawaiian community to be rather fortunate when compared to other Pacific Islanders in the country. Primarily because of their new status as native Americans, we now have available to us some monies—monies to assist us in hiring staff, to establish offices throughout the State, to generate data on Native Hawaiians in the State of Hawaii, and to share that information with other Native Hawaiian groups throughout the country. This is not so for other Pacific Islanders, other Polynesians, Micronesians, Malaysians. I don't think they'll fare as well as we probably will because they don't have that kind of support network. I would hope that within the next year or so that the conditions might be somewhat improved but I have my reservations.

In terms of immigration and Pacific Islanders in the State of Hawaii, I do know that some of the feelings of the native peoples towards immigrants, and this includes Asians and other Pacific Island peoples, is one of tension, that there have not been sufficient efforts to assist people in living together. The limited resources of our small islands are fast being depleted. The immigrants come to our shores with limited housing and lack of employment, and although there have been some recommendations made by Native Hawaiians, we have not seen any real movement or changes in reallocating or more fairly distributing immigrants throughout the entire Nation.

While I don't suppose Native Hawaiians or any other ethnic groups in the State are expected to close their doors to immigrants coming, I would hope that there would be some plans generated within the near future so relief in so-called gateway cities might occur.

I mentioned to Faye Munoz earlier, and this is a closing remark, that my hesitancy to speak on the behalf of other Pacific Islanders would hopefully generate more of an effort on the part of others to involve Pacific Islanders in greater discussion and dialogue across the country, and I'm pleased to share this panel discussion with Faye.

I was disappointed and continue to be disappointed over the lack of Tongan representation in some of these sessions that we've been invited to on the national level.

Thank you.

Commissioner Freeman. Thank you.

Mr. Chairman?

Discussion

Chairman Flemming. Ms. Van Cleve, you may be in a position to respond to this or perhaps Dr. Munoz. What is the movement back and forth between the Pacific Islands and the mainland?

Dr. Munoz. Are you referring to between Guam and the U.S. mainland or between Guam and the other islands?

Chairman Flemming. Well, I'm thinking of the Pacific Islands as a group, although I'd be glad to hear you discuss it either way.

Dr. Munoz. In terms of the movement, the movement among the islanders has been largely between the Saipan, Tinian, Rota, and Guam. The Micronesian Islands are clusters of so-called, almost a cultural social entity. Among the Marianas there are families, cousins, aunts, and uncles who may be living in Saipan and nieces and nephews living on Guam; there is that kind of constant moving back and forth for visits or for whatever reason they need to get together.

Now, in terms of coming to the mainland, there have been increasingly rapid and great numbers of people from Guam that have come to the mainland; one need only to look at the cities of Long Beach, San Diego, San Jose, all up and down the west coast. In Bremerton, Washington, for instance, after the Navy had closed down a substantial part of its operation in Guam, large numbers of these Islanders have been transferred to cities like Bremerton and other ports down through San Diego.

COMMISSIONER FLEMMING. Ms. Van Cleve, do you care to add to that?

MS. VAN CLEVE. I could say nothing in terms of statistics, but I think the chief character of the kind of movement that is being discussed is absolute freedom among the U.S. territories and from the territories to the U.S. Just as citizens resident in Guam are free to come to Hawaii or the mainland, so are U.S. nationals resident in Samoa equally free to travel among the Pacific Islands.

The one exception to all of this has to do with Micronesia, where we have pretty actively discouraged longterm residence by other than Micronesians on the ground that we are obliged by the trusteeship agreement to preserve the Trust Territory for the people of Micronesia.

Accordingly there's been relatively little influx on a long term basis of non-Micronesia citizens there.

COMMISSIONER FREEMAN. Dr. Horn?

VICE CHAIRMAN HORN. Ms. Van Cleve, as you know, one of the great difficulties in American assistance to developing nations of the world has been, what trade off or what considerations must be taken into account as you balance population growth with economic development. What is the American Government's policy in this regard with reference to the Pacific Island territories and other entities?

MS. VAN CLEVE. An awfully big question and I don't know that I can give you as coherent an answer as I would wish. One problem is that this kind of thing is not very often articulated. I may say that we are struggling with it these very days because there is an interagency group under the auspices of the White House right now working on an articulation of American objectives in the territories, and so far as I know, that kind of articulation has never happened before.

But culling from a lot of years on this subject, I think I would say the following: That we have probably forfeited the kind of economic development that would be thought by most of us to be attractive because it has not been possible to achieve that kind of economic development consistent with the level of social services and educational development that we have sought to bring.

Vice Chairman Horn. Could you clarify that?

Ms. Van Cleve. Yes, I'll try. What I mean to be saying is that as soon as we began introducing into Micronesia, for example—and I'll use Micronesia as the example since it's the most dramatic, though the same is probably true of all of the territories to a different extent—as soon as we began introducing an educational system into Micronesia, which we did vigorously in 1961—halfheartedly in the 10 years before that, but the process really began in the early '60s—as soon as we did that, we raised the level of expectations of the people of Micronesia who began to be exposed to Western culture in a way that they never were before.

They were interested in the same kind of perquisites of modern living that they learned about through this device of education. They were unwilling to continue a subsistence, barter-like economy because they recognized that there was something elsewhere that brought greater rewards.

The educational system has resulted in an enormous number of Micronesian young people—and now they're working their way into early middle age—who have, because they are educated, got aspirations that can't reasonably be met in Micronesia.

There are no places for them to go to earn money at the level that they would like and that, indeed, we would all like, because there aren't the resources to permit it.

There is a constant dichotomy: Do we bring some of these good things of 20th century Western living—an educational system open to all, health system of a fairly sophisticated sort—do we struggle to bring these important things to the people, to these undeveloped areas, knowing that we do so we will jeopardize their ability to live in an economic way in accordance with their traditions of the Pacific? My own view is that we do.

I think education, for example, is such an important good that it is our duty to educate the young people of Micronesia. I think the United States should not be associated with an area which does not have an effective public school system. At the same time, that makes vulnerable the former mode of life.

Vice Chairman Horn. Well, let me get back now to the cross between economic development and population. In visits to Nepal, Bangladesh, Pakistan, and India it is obvious the problem that those nations face is the rapid increase in population because of the improvement in the status of public health. There's been an attempt to invest in a basic economic intrastructure, yet in terms of the traditional values of those societies which are primarily rural and agricultural, families still feel that there needs to be *X* number of children because they know from their past experience that many of these children did not live past 5 years of age. Therefore, they still have large families, thus using up any surplus generated in the economic growth of the country. As a result, these countries find it difficult to invest in the type of life that would support the expectations and the aspirations of the young people that you're talking about, who are also being educated.

Now, somewhere, sometime it seems to me that the American Government has to face up to this problem in its Trust Territories, exactly as it lectures other nations in the world, otherwise we have what has been referred to at least a couple of times in testimony—the Commissioner used it in reference to the Philippines and to Mexico, and we know it's true in many other countries—that immigration becomes simply a safety value to dump the problems of Mexico on the United States or the problems of the Filipinos on the United States, because they can't handle them themselves or they're unwilling to make the political decisions because of the controversial areas that might be involved, to solve their own problems.

Now, I'm not sure, given 40 to 60 percent minority youth unemployment in urban America, that we're doing well enough economically to solve the problems of additional people uneducated or poor in poverty that might come.

So, again I fish for: What is the American policy in this area, and are people facing up to it?

Ms. VAN CLEVE. I regret that I did not grasp the thrust of your question the first time; I engaged in a lot of undue palaver as a result.

There have been ad hoc efforts over the years to encourage family planning enterprises in particularly the Trust Territory. I think I cannot speak of any in the case of Samoa and Guam. They have not been particularly successful.

There is a pronounced theological problem in the western Pacific that forecloses very much of an interest in advancing the cause of family planning there. I recently heard, however, what seemed to me a rather encouraging development, apparently under the auspices of the Trust Territory government, that is, the level of government that's just one layer below that of the Interior Department. The Trust Territory government some months ago sponsored a women's conference in Ponape, which is within the Trust Territory, and apparently the women of Micronesia who attended, who are developing a level of consciousness not before known in the Pacific, themselves expressed a concern on this particular subject. They seem to have been developing very recently an anxiety about not having too many children for personal reasons.

And that struck me as being perhaps as encouraging as any single thing I've heard on this subject. But to give you a direct answer to your question, we do not have a definitive program at this moment on this subject. But I recognize its desirability.

VICE CHAIRMAN HORN. Is there any other—are there any other portions of the American Government where the appropriate executives recognize the desirability or are you the lone voice?

MS. VAN CLEVE. I'm afraid I can't speak for any other part of the United States Government.

VICE CHAIRMAN HORN. I just wonder, in almost 30 years of distinguished service, if you ever ran into anybody in the corridors that also had similar feelings?

MS. VAN CLEVE. I've heard sympathetic mutterings but have not seen very definite bureaucratic behavior.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. No questions.

CHAIRMAN FLEMMING. We appreciate very, very much, members of the panel being with us, and presenting this testimony. It's been very helpful. Thank you.

I'll ask my colleague, Commissioner Saltzman, to preside for the remainder of the afternoon. We continue with the Pacific Islanders.

COMMISSIONER SALTZMAN. I'll ask the panelists to come forward and take their places?

The Honorable Antonio Won Pat, we understand, is in session on Capitol Hill and his staff attorney, Ms. Aurora Jose will read the presentation.

Presentation of Aurora Jose, Staff Attorney, Office of the Honorable Antonio Won Pat

MS. JOSE. Members of the Commission, ladies and gentlemen, committee matters requiring the congressman's personal attention prevent him, at the last minute, from being here today. However, he did not want to forego the opportunity to convey some of his thoughts on the matters being addressed by the conference today, and he asked me to deliver his presentation.

As a cosponsor of the legislation that made Asian/Pacific Heritage Week possible, Congressman Won Pat is happy and proud to be able to participate in this conference. For too long the needs of Asian Americans and Pacific Islanders in the United States have been ignored.

The silent minority, yes, oppressed, no, is commonly applied to justify the exclusion of Asian Americans and Pacific Islanders in voluntary affirmative action programs and in many other Federal programs.

Hopefully, this conference will help bring into focus some of the real needs of Asian Americans and Pacific Islanders for an administration that seems to think that the only minorities in existence are blacks, Hispanics, and Native Americans.

Congressman Won Pat has asked to speak about employment concerns of Pacific Islanders in the mainland. Any serious discussion of employment concerns of Pacific Islanders in the mainland must begin with an analysis of some of their socioeconomic characteristics. However, any such analysis is difficult to conduct, largely because there's so little data with which to work.

The political relationship between the United States and the Pacific Islanders referred to in the panel previous to this, is such that Islanders can travel freely to the United States; they are not subject to immigration laws and quotas that otherwise apply to nationals of China, Japan, the Philippines, and other Asian countries.

Consequently, the Immigration and Naturalization Service does not monitor the migration of islanders to the mainland. Moreover, the U.S. Bureau of the Census does not provide a classification for Pacific Islanders residing in the United States to identify their race or place of origin.

Although we have been informed that the census questionnaire for the 1980 census will allow identification of place of origin to a very limited degree, there is at present no official way of knowing how many Islanders are living in the mainland.

The only sources of information available are individual, private observations made by civil organizations, such as the Federation of Guamanian Associations of America, Sons and Daughters of Guam in San Diego, the Hafa Adai Club of Fairfield, California, Guam Club of Long Beach, California, Concerned Asian American and Pacific Peoples in Los Angeles, and the Guam Territorial Society in Washington, D.C.

And a few independent surveys have been conducted by doctoral candidates at the different graduate schools. These sources estimate that in California alone there are approximately 50,000 Guamanians, 70,000 Samoans, and 30,000 other Islanders from the Trust Territories and the Northern Marianas.

If their figures are correct, what they indicate is a massive migration of Pacific Islanders to the mainland. We must accurately and officially ascertain these numbers in order to be able to study and determine their needs on a truly comprehensive basis.

The same sources mentioned above also estimate that 75 percent of the Guamanians are active or retired military personnel, their dependents and relatives. A much, much smaller percent consists of Guamanians who attended college here and remained after graduation.

Strides have been made in minority employment since 1964 with the passage of the Civil Rights Act, Title VII of which bars employment discrimination on the basis of race, color, religion, national origin, and sex. Like other minorities with whom they are grouped, that is, the Chinese, the Japanese, and the Filipinos, Pacific Islanders have made some progress into professions and into the corporate management structure. However, observers agree that, although there is some upward mobility, barely a handful of Pacific Islanders get past middle management positions.

A canvassing of the membership of the civil groups mentioned above indicates the overwhelming majority of Pacific Islanders are employed in nontechnical, nonskilled, nonprofessional jobs. That is not surprising in light of the estimation that less than 1 percent of all Pacific Islanders in the mainland have college degrees.

Many Pacific Islanders complain that they get lower salaries than their white counterparts, who have equal or even less education and who are performing the same job. This charge is consistent with the often-cited theory that most employers think they can get away with paying lower wages if they hire Asians and Orientals who are often characterized as law abiding, submissive, nonassertive, and less likely to make a fuss or challenge their superiors.

As with other races in the Asian American category, Pacific Islanders remain, for the most part, ineligible for inclusion in specific affirmative recruitment programs.

And today, the legality of the voluntary affirmative action programs to help minority groups overcome the effects of past discrimination is being questioned in the case of *Weber v. Kaiser Aluminum,* presently pending decision before the Supreme Court. An adverse action in that case would set back what progress has been made.

Pacific Islanders, for the most part, also remain ineligible for participation in many Federal programs. A case in point is Public Law 95-507, formerly the Addabbo bill. The legislation intended that all minority groups be afforded, "the maximum practical opportunity to participate in performance of contracts let by any Federal agency."

However, the Office of Federal Procurement Policy and the Small Business Administration have issued proposed implementation language that limits the groups to be designated as socially and economically disadvantaged to blacks, Hispanic Americans, and Native Americans.

The exclusion of Asian Americans and Pacific Islanders from the "socially and economically disadvantaged" category places the burden of proof of eligibility on the individual minority member to document his status as disadvantaged.

This condition is difficult to prove in light of the lack of census and socioeconomic data on Pacific Islanders that I mentioned earlier. And what if the reviewing officer never even heard of Guam, Saipan, Rota, Samoa, Northern Marianas?

Employment concerns of Pacific Islanders in the mainland are part of their overall, as one writer put it, "struggle against anonymity." The writer said, "In American society, the principal means by which a group gains public and government response to its needs is political pressure, which is partly a function of numbers. Pacific Islanders are particularly unequipped to use this method. Their numbers are small, and having lived through a long period of colonization, they are limited in their ability to confront an insensitive system. They have not even begun as other minorities have to present their case, despite the fact that their educational level and job opportunities may be the lowest among the United States minorities."

In the 8 years that Congressman Antonio B. Won Pat has served as a delegate and Congressman from Guam, he has seen a developing awareness on the part of Congress of the Pacific Islands as political entities and not just as colonies or military bases.

This awareness is reflected in the negotiation of commonwealth status with the Northern Marianas and the creation of an office for a delegate from American Samoa among other things. Congressman Won Pat has also just recently detected a growing awareness on the part of Congress of the concerns and needs of Pacific Islanders as a minority group in the United States. This awareness is reflected in legislation introduced in Congress that his office monitors and which he either sponsors, cosponsors, or otherwise supports.

Much of this legislation is designed to amend existing Federal programs to expressly include Asian Americans and Pacific Islanders or to support existing programs that already include Asian Americans and Pacific Islanders.

The time has come for Pacific Islanders on the mainland to assert themselves. This particular conference and the celebration of this week as Asian/Pacific Heritage Week should be the first giant step in this direction.

VICE CHAIRMAN HORN. If I might, Commissioner, I'd just like to ask you to convey my best wishes to the Congressman; he and I were very good friends on Capitol Hill in the late '50s and early '60s when I was legislative assistant to Senator Kinkle. Few people have spent the time he has spend of several decades on fighting for the interests of the people of Guam, and I must say coming from Long Beach, California, where a very valued member of our staff, Mr. Cruz, is president of the

Guamanian Club, I am particularly cognizant of the wide number of very able people that have come from Guam to the United States, often by the route, as you suggest, of the American Navy and retirement.

Ms. JOSE. Thank you very much; I will convey your regards.

COMMISSIONER SALTZMAN. We turn now to health and social services of the Pacific Americans, and presenting that aspect will be Mr. Juan Rosario. Mr. Rosario is the president of the Federation of Guamanian Associations of America.

Presentation of Juan Rosario, President, Federation of Guamanian Associations of America, San Jose, California

MR. ROSARIO. Thank you, Mr. Chairman, Commissioners, ladies and gentlemen. Before I begin my formal presentation, I would like to take this opportunity to convey from the Guamanians and the Pacific Islanders in general, their sincere appreciation for affording us the opportunity to make this presentation and to voice our concerns regarding the many health programs that we should be getting from the Federal Government.

Today, the topic that I am to present as requested, is on health and social services. Citizens and subjects of the United States Pacific Island Territories are among the most neglected populations in the country. The remoteness of the island and lack of awareness by government and other officials of the cultural shock encountered by Islanders coming to the mainland serves to increase the problems these people meet in seeking health care.

The problems are compounded by the relatively small number of people involved. Pacific Islanders make up less than 1 percent of the total population of California. That has been expounded by many of the panelists already since this morning.

Let me qualify that statement further by stating that even though that percentage is insignificant to some people, it could constitute 80 percent of the total population of Pacific Islanders, and I have to agree with the former panelist, Dr. Faye Monoz, that it seems like we are indeed an endangered species.

Despite the small numbers, Pacific Islanders suffer from a number of unique physical and mental problems out of proportion to their numbers. In addition, many are often unable or unwilling to seek proper treatment.

In the first part of this report, we will discuss the current health situation and the second part the problems regarding health care for these people.

Samoans or Guamanians suffer from a number of diseases which either occur strictly on Guam or are more common there than anywhere else in the world. "Bodeg," highly volatile, inflammation of the legs that often results from poor nutrition and "chetnut maipe" ailment of the heat, a disease unique to Guamanians, amyotrophic lateral sclerosis and Parkinson's disease are 50 times more common on Guam than among the general population of the United States. Both diseases are more prevalent on Guam than anywhere else in the world.

In the Samoan community, although accurate figures are not readily available, hypertension, cardiovascular disease, arthritis, and diabetes occur in significant higher than normal numbers.

Adding to this problem is the introduction of disease to American Samoa by other Pacific Islanders because the government does not prescreen or immunize migrants. A markedly higher incidence of alcoholism exists among young Pacific Islanders and those just arriving in the continental United States than the statistical norm.

Preventive health is not a factor in the Pacific Islander's life. Medical examinations, immunization, etc., are not recognized as necessary by Pacific Islander people unless some sign of disease is showing. In American Samoa health facilities are never used except in cases of emergency, accident, sudden illness, or when someone is critically ill.

These attitudes have been brought to the continental United States by migrating Samoans. Nutrition for expectant mothers is a problem among Pacific Islanders population. Tongans, for example, exist on a diet consisting mainly of shellfish and green bananas, staples in the islands.

Their eating habits continue here in the United States with even expectant mothers maintaining the same dietary habits through their pregnancies. When the baby is born, however, it is usually fed commercially prepared baby foods and Tongan infants develop allergies and rashes out of proportion to their numbers.

Some Tongan mothers believe this is a result of a radical change in the baby's diet. Immunization is an enormous problem even among normal stateside populations of Pacific Islanders and the problem is compounded among Pacific Island communities with language barriers. Lack of tradition and lack of understanding contribute to fewer immunizations and, as a consequence, a higher incidence of disease among Pacific Island youth.

Mental health among the elderly is also a problem, aggravated by being in the continental United States. In most Pacific Island communities, the elders are treated with care and respect, taken care of by the families, and traditionally live at home until they pass away.

In modern American society, the elderly are shunned, thought useless, and put away in old age homes where they waste away the remainder of their existence. The conflict between the two lifestyles causes mental anguish among elderly Pacific Islanders who refuse to participate in any senior citizen programs in fear that they, too, will be left alone.

Acculturation problems can arise easily, especially among the young, because Pacific Islanders' customs concerning dating are often quite different from the stateside norm. Many students are ridiculed by schoolmates, often leading to fights and other problems.

Part two of this report deals with inadequate access to health care services. Pride, prestige, and cultural problems are the important factors in the communication difficulties between the Pacific Islanders and health service practitioners. The most obvious problem faced by the two groups are those relating to language. Many Pacific Islanders do not speak English very well, so trust, essential in the doctor-patient relationship, is difficult to establish.

Other problems including inability of a patient to properly describe his symptoms, error on the patient's part in taking medication because of misunderstanding, the doctor's or pharmacist's orders, and several physical problems and bodily functions which Islanders just do not like to discuss these are things that are tabu to the Pacific Islanders. Often health assistance is not sought until a crisis point has been reached or after treatment at home can no longer be accomplished.

In conjunction with the reluctance of Pacific Islanders to practice preventive medicine, an additional burden has been placed on the health practitioners.

A great number of health services are provided at the county level, but most Islanders are unaware of them. Even when they do utilize them they feel they are not giving the health care they deserve primarily they are—because of the language barrier.

Islanders afflicted with the unique tropical diseases mentioned earlier will more than likely have difficulty finding a doctor familiar with the ailment, and the cost of returning to the island for treatment or locating a doctor with knowledge of proper treatment practice can be staggering. Knowing which doctor to go to for proper treatment can sometimes be a problem in itself, especially if they have been referred and the referring doctor is not specific.

In conclusion, it is our feeling that some sort of health task force should be established as a communication link between the Pacific Islanders and the public health services to promote bilingual-bicultural awareness, so that those solutions of major problems that these people face in the mainland can be addressed.

I offer this on behalf of the Federation of Guamanian Associations of America which are spread throughout the State of California. We are now in the process of going nationwide. The Washington Territorial Society will hopefully become a member of this organization. We will offer these services of bilingual-bicultural awareness if given the opportunity and if we are funded by the government.

Again, I'd like to emphasize that most every minority, blacks, Asians, Hispanics, that everyone has mentioned this morning do have organizations that they turn to. We have thus far begun to be viable now and we are starting to become concerned, because of our people who have been lacking these services.

I urge the Civil Rights Commission to look into these problems, address these problems so that these people that are in the United States are not neglected or shunted aside.

Thank you.

COMMISSIONER SALTZMAN. Thank you, Mr. Rosario.

Our next speaker will direct his attention to education; Elam Hertzler is working for the Commissioner of Education as ombudsman for State education agencies.

Mr. Hertzler?

Presentation of Elam Hertzler, Ombudsman for State Education Agencies, Office of Education, U.S. Department of Health, Education, and Welfare

MR. HERTZLER. Thank you, it's a pleasure to be here and if I may, for just a minute, an aside. It's a real honor for me to appear before your Chairman, whom I consider as a personal friend, a man that I've admired for many years for his very outstanding public service and a man with whom I've had the privilege of counseling, going to him for counsel, that is, on a number of occasions. I'm particularly pleased to be here.

I would not presume to speak for the people of the Pacific Islands, but would rather try to give you some of my perspectives concerning the situation. My expertise is more in the area of the state of the art of education in the islands rather than the situation faced by the people as they come stateside for their education. But I think that I can tie in the things that you're interested in as we look at the educational situation for those people that come stateside.

It's very difficult to generalize when you're talking about so many cultures. I will attempt to generalize where I can and I think in the conclusions I can do that. However, as an old math teacher, when talking about generalizations, I wind up talking about any whatsoever particular example to clarify the discussion and so I like to lapse back into a few examples here and there.

Generally, I think we can say that education in the territories is on the upgrade. We have had a situation not too many years back where, for instance, in the Trust Territories of the Pacific, there was only one qualification in order to be an elementary school teacher, and I was shocked when I learned that during my first trip to Micronesia in 1974, and that one question is, "Have you, yourself, graduated from elementary school?" That is, if you have completed elementary school, you would be eligible to be a teacher in the elementary schools.

Compare the people who have then been offered permanency of teaching certification under those conditions, to the current situation where there are now many people who are qualified to teach, and you can see a tremendous inservice problem that the territories have been facing in trying to upgrade the teachers that are already in their system. And this upgrading is occurring—

COMMISSIONER SALTZMAN. Can I just ask you a question to clarify what another speaker had said before? Is there input from the residents or is it totally the other way? Do you know what I mean?

MR. HERTZLER. In terms of—

COMMISSIONER SALTZMAN. The educational system—

MR. HERTZLER. —the educational system—

COMMISSIONER SALTZMAN. Can you describe that?

MR. HERTZLER. Yes. Right now, other than Guam, the highest educational attainment available on the islands would be community college level work, and that's only of recent vintage. Guam now has its own university.

Most training has been stateside, including Hawaii, of course. However, the stateside training of teachers and others lacks some of the cultural understanding that our institutions of higher education here have to have if they're going to be able to qualify people to, indeed, go back to be good indigenous kinds of support people for the educational system.

There's been a tremendous barrier, for example, in the teaching of English, as you can imagine, because there are many teachers who have not been stateside and so have very limited English-speaking knowledge. This barrier then becomes apparent as the people of the Pacific attempt to come here for education.

COMMISSIONER SALTZMAN. Who makes up the curriculum? Guamanians, Samoans, or Americans—I mean the government?

MR. HERTZLER. It's varied. There's been a lot of technical assistance from the Americans, and there has been an attempt to impose some things, but there have certainly been indigenous kinds of efforts as well. It's been a mixed bag and I couldn't begin to characterize it completely.

I think that we can clearly establish that in the Pacific there has been an educational disadvantage. The situation is improving; there's a catchup sort of phase and there's tremendous effort going into it.

If we move to the cultural side, that you asked about, I think we can say that there's really a two-way understanding needed as islanders come stateside. There's a tremendous cultural shock, possibly less for the Guamanians because they've certainly been much more westernized, but there's tremendous cultural shock for all and I'd like to illustrate with an example of the Samoan situation.

Samoans coming stateside go from where they've been a majority to being a minority, and where they go from a strong family emphasis to an individual emphasis. By this I mean the Samoan culture is such that the emphasis is on the family and even more on the extended family where the rights and the privileges of the individual are swallowed up, in a sense, by the needs of the total family.

As a good example of this, of 200 eighth graders writing compositions last year, there was only 1 composition that could be considered original; 50 percent of these were about legends of Samoan history and the other 49 percent were on stories of the family and the family situation, which I think tends to let you see the cultural orientation that comes up in the situation.

Vice Chairman Horn. I'm sorry, I didn't quite understand the statement. I heard you say that out of 200 eighth graders writing compositions only 1 was considered to be original?

Mr. Hertzler. Yes.

Vice Chairman Horn. What's the difference between being, "original," and talking about legends of their culture?

Mr. Hertzler. The original aspect of it is that these are stories that they have heard many times and are regurgitating perhaps with a little bit of creative flair, but something that has been picked up in the home and in the culture rather than being creative, original thinking having to do with a variety of topics that might be discussed other than legends of origin or stories of one's own family.

There is also a climatic shock, so that people from the Pacific tend to want to stay in the Sun Belt. Some have gone into Michigan to school, for example, only to turn around and go home immediately because of the shock of the climate.

The shock of different food, the change in languages, and the campus lifestyle present a very different kind of situation. A two-way situation exists on the campuses where stateside college students do not understand what the Pacific Islanders want to do and the Pacific Islanders do not understand the American culture and the kinds of activities that take place here.

Students go from a situation in Samoa, for example, where everybody knows everybody else, to a situation where I know nobody, and nobody knows me and nobody knows anything about me or my culture. In some of the larger stateside Samoan communities they have transferred some of this family concern so that there are some chiefs, for example, who attempt to keep track of the extended family, particularly of the west coast.

What I'm trying to say, and the thing I'm leading up to is that the cultural situation in the islands does not lead to any understanding of civil rights issues. And if civil rights issues are not understood, they're not necessarily really desired. There has to be a period of orientation here before the issues are even ones that become a part of the vocabulary, let alone a part of the expectation.

Perhaps we have some obligation here as we look at these things. I think I would say that our colleges and universities really have to look at what equal opportunity means when talking about educationally disadvantaged people coming here with language and cultural kinds of barriers. It is my impression that our colleges in terms of tight budgets, cut some of the very programs that are needed.

In summarizing, I'd like to say that there's a real need for civil rights orientation, and there's a real need for equal opportunity; but having said all that, and I checked this out with a number of people, it's my opinion that perhaps Pacific Island people have no more problems with civil rights than other minorities once they get stateside.

Thank you.

COMMISSIONER SALTZMAN. Thank you.

Rounding out our panel is Ms. Pat Luce, who is currently the president of the Office of Samoan Affairs and has had a long record of public service in education in the State of California and American Samoa.

Ms. Luce?

Presentation of Pat Luce, President, Office of Samoan Affairs, San Francisco, California

Ms. LUCE. Thank you.

Our earlier panelists dealt heavily in the area of the territories, I would like to focus on the people of the Pacific who have migrated to the mainland and are residents now of the mainland.

We have previously heard the types of areas of deficiencies or areas where we feel need improvement or need orientation before our people migrate to the mainland in order to be able to adapt properly to the system which we dwell in at this time.

The topic of my presentation today is the identity crisis of Pacific Americans and its implications on educational opportunities. The term Pacific Islanders or Pacific Americans has been seen and heard by many, but, unfortunately, it has a remote connotation.

For example, in efforts to promote Asian/Pacific American Heritage Week in California, the Office of Samoan Affairs received an inquiry from the State, from a State assemblyman who needed assistance in identifying the Pacific American groups.

The vagueness in knowledge and recognition of the Pacific Americans has presented various implications of inadequate representation and services in government programs for Pacific Americans.

For the purpose of my presentation, I shall focus on the program area in education. Our people who have migrated to the mainland feel and find ourselves and see ourselves as the most neglected populations of this country. Very little data concerning Pacific Americans are available beyond the stereotypical descriptions of them as exotic and romantic people. Lack of statistics has great bearing on service programs and response to their needs. As one bureaucrat phrased it: No statistics, no problems.

I'm pleased to be here today and to be a representative for the Pacific Americans, a minority among minorities. In California, a State which has the highest concentration of Pacific Americans, and though our numbers exceed those found in our homelands, for example, Samoan Americans in California number in the 90,000, a population which represents three times the number in America Samoa—source is the 1975 census of American Samoa.

In comparison to ethnic people of color, we are seen as an insignificant number, yet we are still native Americans, Pacific Islanders who are being ignored. Owing to an existing process used by government agencies and various institutions in identifying populations, the Pacific Americans are placed in a category without an identity, the other category. Implications of such a process, whether it be on local, State, or Federal levels, signifies a consistent exclusion of Pacific Americans in receiving representation and services.

The Pacific Americans from the territories who are U.S. subjects or citizens and have migrated to the United States, find themselves to be the neglected Americans and ones with no identity. It is beyond the scope of this presentation to illustrate or describe the various migrant Pacific American communities. Therefore, only the migrant Samoan American community will be used as a model to describe the plight of the Pacific Americans.

There seems to be three major reasons why Samoans migrated to the United States. First, the U.S. Navy once governed the islands since 1900, closed its base in 1951, and transferred jurisdiction of islands to the Department of Interior. As a result, a good number of the Samoan workers moved with the Navy and eventually settled around the naval bases in the western culture States and Hawaii.

Another factor that accounts for the migration of the Samoans is their desire to take advantage of the opportunities that are supposed to be available in the United States. Like most migrants, they came to seek better job opportunities and quality education for themselves or their children. However, whereas the Navy first brought the Samoans here, and available opportunities continue to attract a steady stream of newcomers from both Western and American Samoa, in time a kind of snowball effect developed.

It is estimated, as I earlier stated, that there are 90,000 Samoans in California. They're concentrated in the San Diego County, the greater Los Angeles area, and the San Francisco Bay area.

One of the fastest growing ethnic communities in the State, Samoans are also one of the most neglected, deprived, and underserved populations because of economic, linguistic, and culture discrimination against Samoans by the larger society. Samoans face critical problems of poverty, unemployment, family breakdown, alienation, and cultural disintegration.

As a consequence, Samoans, for well over a quarter of a century, have silently suffered the plight of an indigent and isolated people. For any migrant community, economic survival is a paramount concern. For Samoans the problem of economic survival is compounded by the fact that we are poorly equipped to compete in the labor market of a highly industrialized urban society.

Most Samoans have little education and limited English language skills. In a study of 410 Samoan households in the Los Angeles area, it was reported that fewer than half of the respondents had completed grade school.

The consequence of limited education and poor language skills is that most Samoans can secure only low paying, menial jobs. Low income, in turn, makes difficult the maintenance of a family and the caring for dependents.

Low income also severely limits the choice of housing for Samoans, whose average family size is seven or more persons.

Poor language skills deter Samoans from seeking and receiving adequate health and neglect of health often leads to disruption or loss of employment and income. Low income, or loss of income coupled with a large family, frequently necessitates dependence upon welfare assistance.

A study conducted by the department of planning and economic development in Hawaii in 1973, reported that while Samoans constitute 2 percent of the population, they make up 5 percent of welfare recipients. The traditional and social and cultural institutions of Samoan society no longer provide support and stability to life in the new difficult environment.

In Samoan society—it is organized into larger, extended family groups each headed by a chief. For Samoans, the structure of extended families provides security and protection for the adversities of life. The family is a vehicle for all members to share their resources and to provide mutual aid and comfort. This breakdown is part of the current change in culture conflict. The once unique and powerful hereditary role for the chief was a central figure to turn to in times of trouble.

When the Samoan extended family migrates to the mainland, the chief cannot solve his people's problems because now he's not aware of the services and resources in the new community nor able to utilize them because of the language barrier. The chief is suddenly deprived of his traditional helping, guiding role. He loses stature and respect amongst his people, particularly among the youth. The result is that many Samoans, overwhelmed by the feelings of hopelessness and shame abouut their situation, cease to look for assistance. Samoan parents act out their frustration in their relationship to their children and the incidence of child abuse, violence, and permanent welfare dependency is increasing.

Implications, therefore, in reference to educational opportunities for our people reflects that the forefront of Samoan and Pacific American problem is a lack of identity and recognition for this group of native Americans.

A language barrier is also a major problem which exists. This has a great impact on the degree of relevancy for existing educational programs. Adequate educational programs which respond to linguistic and cultural conditions are essentially unavailable. However, the social condition and the rapid changes that are occurring clearly point to the need which is rapidly increasing.

In the State of California, only one bilingual program for Samoans exists in Harbor City. Multiculture education for Pacific Americans is nonexistent. Bilingual curriculum for Pacific American speakers or for usage in multicultural programs are unknown.

Bilingual curriculum centers and school districts which have been federally and State funded to develop such programs have not responded to the needs of Pacific American students. There is a high degree of exclusion and form of discrimination experienced by the Pacific Island students and the communities at large.

It is not uncommon to find it in practically all Samoan households—would be to find at least one dropout. Few, if any, attain a higher level of education; strong feelings of alienation are rampant among Samoans in America—Pacific Americans, especially the young.

Hostility is high and intergroup violence is a serious potential problem. Already incidents are occurring between local high school students and nonlocal students.

A culture race is creating many value conflicts, personal conflicts which are stressful and sometimes without resolution. A sense of ennui prevails in all levels of government in reference to education of Pacific

American students. How long must we experience the discrimination through the exclusion of adequate educational programs? Something has to be done and must be done soon.

We recommend strongly that a special task force be established to look closely at these problems of Samoan Pacific Americans as societies in transition and to examine ways and means for interventive measures which will achieve educational opportunities for these people in their own social and cultural milieu.

I have additional recommendations which I will submit with my papers.

Discussion

COMMISSIONER SALTZMAN. We'd appreciate that. In fact, anyone who would like to submit additional materials we'd appreciate it.

Dr. Horn, do you—

VICE CHAIRMAN HORN. Ms. Luce, could you perhaps explain for the record, so the Commissioners understand your office, what is the Office of Samoan Affairs; tell us a little bit about it and how you're funded?

MS. LUCE. The Office of Samoan Affairs [OSA], the applicant organization, is a voluntary, nonprofit organization incorporated in the State of California in 1976, with headquarters in San Francisco. We are a statewide agency with area offices in San Francisco, Los Angeles, and San Diego. Our board of directors consists of 15 elected members, 5 from each of the 3 areas. We are funded by voluntary contributions, foundation grants, and research/consultation contracts.

The OSA was established in response to the expressed needs of economically disadvantaged Samoan communities throughout California. Their titled leaders [chiefs] and organization leaders were seeking more effective relationships with local governments, service agencies, and with each other in efforts to secure public services for their communities. These groups required information, research assistance, and other help of a technical nature but did not know how to proceed. OSA was founded to meet these needs.

At present, OSA, through its statewide communications network, performs the following functions: (1) disseminates information about Federal, State, and local issues and developments which affect Samoans; (2) provides regular leadership training workshops; (3) gives technical assistance to local communities in relation to neighborhood goals, community development, and social issues; and (4) facilitates and strengthens linkages and collaboration among Samoan organizations, particularly those organizations concerned about Samoan community betterment.

We also provide direct services in each of our area offices. Currently, the emphasis is upon employment services, senior citizens services, youth services, Pacific Basin Peoples arts, information and referral services, and translation services. In addition, we are a subcontract agency in relation to: (1) Region IX, DHEW, for a study on "Evaluation of the Effectiveness of HEW Program Delivery to American Samoans in California, Hawaii, and American Samoa," (2) the government of American Samoa for a study of "American Samoan Families in Transition," and (3) ASIAN, Inc., for a study of the socialization of Samoan children.

OSA enjoys a close working relationship with a variety of Federal, State, and local agencies throughout the State. We also collaborate with a variety of voluntary agencies throughout California in regard to concerns related to Asian and Pacific Islander communities. Our president, Pat H. Luce, has been actively involved as a consultant with various agencies in relation to Samoan affairs. Among her recent affiliations are: Human Rights Commission, State of California, Lt. Governor's Inter-Relations Commission; Regional Advisory Council on Samoan Affairs, HEW; Department of Labor Task Force on Employment of Samoans.

VICE CHAIRMAN HORN. Any State or city in California going to help you on some of these problems? I'm thinking of State funding?

MS. LUCE. The contracts which have provided us with the kinds of work we do, one of them was out of the regional HEW, which has conducted the study and evaluation of their problems, both in the States of Hawaii, California, and American Samoa.

VICE CHAIRMAN HORN. Very good. You mentioned a study of 410 households in the Los Angeles area where half of the respondents surveyed had not completed grade school. I want you to elaborate on that. Did they only survey one person in each household and was that the head of the family?

MS. LUCE. No, it was conducted with the whole household.

VICE CHAIRMAN HORN. That's what I was afraid of. What worries me when you make a statement such as that is that if children are included and they're still in elementary school, and there's two or three children, obviously more than half would not have completed elementary school and I wanted to sort that out.

MS. LUCE. This study was done by Ramsey Shu and Adele Satele in 1977, and I am not too sure, then, as to the question that you're asking.

VICE CHAIRMAN HORN. Could you get us a copy of the study?

MS. LUCE. Yes, I would.

VICE CHAIRMAN HORN. I'd enjoy the opportunity to read it.

MS. LUCE. Okay.

Vice Chairman Horn. Thank you very much.

Commissioner Saltzman. Dr. Flemming?

Chairman Flemming. Mr. Hertzler, your overall responsibilities are summed up as an ombudsman for State education agencies, and I assume that you include the islands within your purview of your operation?

Mr. Hertzler. Yes.

Chairman Flemming. What are we doing as a Federal Government in the way of providing support for the education institutions on the islands?

Mr. Hertzler. We don't have any specific programs other than within the general education. We have, Dr. Flemming, funded projects where the islands are aware of and qualify for the programs. For example, we have teacher corps programs in all of the territories, or at least have had them at one time or another. The community colleges have come in for some special programs and some adult education money.

We don't have, within HEW, a separate pot of money for working with the territories; however, in most of our legislation, there are set-asides that make some money available for the territories in categorical areas.

However, there is a new omnibus bill for the territories and Title V of that bill provides for a single State plan. The territories don't necessarily have to use the categorical money in the categorical ways that are required stateside.

Such a State plan will be a tremendous help to the islands as they plan to meet their needs and don't have to deal with categorical kinds of needs that were specifically tailored to stateside concerns.

Hopefully, this will help to take care of some of the problems. In spite of all this, we're clearly not doing as much as we might.

Chairman Flemming. What has been your observation as to the number of persons from the islands who have come to this country and who have participated in educational programs and then have gone back and participated in the educational programs on the islands?

Mr. Hertzler. The number—the number is gradually increasing, but there's a problem there again in terms of the culture. For example, in Samoa, up until the past year or so, there was a distinction made between local hires and contract hires, and people who came here for training had to go back at local pay rates. After having been stateside, if they're professional people, the wages are much more attractive stateside.

However, with the coming of the new Governor, things have changed and they're beginning to pay contract wages in order to entice Samoans to return. Other territories are dealing with this, but

I'm not sure what the situation is. The attraction of higher wages stateside has been a real problem.

It's been difficult to really get a lot of the people to go back to work in these areas, in spite of the fact that there are many people who are now qualified.

CHAIRMAN FLEMMING. Would you like to comment on that, Ms. Luce? What's been your experience as far as Samoa is concerned, the people who have come here, received some education on the mainland, and then have gone back? Is there—is there a trend? Do you notice a trend in that direction in terms of the people that you counsel and work with?

MS. LUCE. One of the areas that I have worked with is higher education in reference to participation and accessibility of support for Samoan students. Those who have come from the islands, from the territories to seek higher education, are more in number than those of us here who have sought higher education. We see that what our educational representative here has stated is very true. We had just held a meeting with Governor Coleman of American Samoa about 2 months ago, and many of the—those who have graduated have become troubled in reference to the differences of pay and wages that they would be offered in returning to the islands.

But one of the things that I wanted to state was that in looking at the educational problems faced by our students here, the opportunities in reference to special recruitments and financial aid is unbeknown to our communities, and also those who are within the institutions, they don't know that we even exist, and we feel that once this gap is bridged, we will probably have more representation from our communities here seeking higher education.

CHAIRMAN FLEMMING. Would you like to comment on that from the standpoint of Guam, either Ms. Jose or either one of you?

MS. JOSE. Well, we have a similar problem on Guam with respect to students who come to the United States to receive higher education; many do go back, but they don't have the kind of opportunity to be employed in jobs that they were trained for, that they received their educations for, and they end up coming back to the United States.

With respect to the hire of attorneys on the island, there is a difference between off-island and on-island hire, and that difference is about $2,000 in salary. There is also—there was at one point a difference in salaries because most of the teachers on Guam were off-island hire, however, they changed that a few years ago.

VICE CHAIRMAN HORN. I'm sorry, I don't understand you, could you explain that a little more? The difference of $2,000 between on-island and off-island hire, you mean the mainland versus Guam or Guam versus the islands around it?

Ms. Jose. Mainland versus Guam. In other words, Guamanian attorneys who returned to Guam who seek employment with the public defender's office, or with the AG's office or the U.S. attorney's office, there is a difference between local hire. They are considered local hire, even though they are coming back to Guam from the United States, and their pay scale is different.

Two years ago it was a $2,000 difference in pay scale.

Chairman Flemming. Ms. Rosario, would you like to comment on that issue?

Mr. Rosario. Very much so. The—there is an absence of any statistical data regarding the Guamanians that have migrated to the United States in reference to their education, and the different trades that they may have acquired, either through the Navy or the Army.

We have found through our various organizations spread out through California that there is quite a difference in pay scales between a trade person doing work here than in Guam.

And so, therefore, the tendency is to stay and work because of the higher pay scale.

Chairman Flemming. What about cost of living? Is there any difference between the mainland and Guam and also Samoa in terms of cost of living?

Mr. Rosario. Definitely so. I haven't been back since 1972, but I guess like everything else prices are so inflated there that it's affecting Guam more so than it is here.

However, there are ways that the Islanders circumvent the high cost of living in Guam. By going out and doing some fishing, the Islanders do supplement their income. The cost of living is definitely much higher in Guam than it is in the mainland because of imported products.

Vice Chairman Horn. Can I pursue this $2,000 differential so I make sure I understand it? Is that differential set by U.S. Government policy?

The reason I ask that is I'm familiar with American embassies abroad where they employ a large number of native personnel, and there's the rate they pay the locals in the American Embassy, even though they might be doing exactly the same work as the rates they pay American personnel who serve abroad, and I just wondered if this grew up under naval administration of Guam or how the differential wage structure arose.

Ms. Jose. I'm not clear. I would hate to say that it's a policy instituted by the Federal Government, but it seems to be a de facto policy followed by the government agencies.

Vice Chairman Horn. Is it just government or is it also private enterprise on Guam?

Ms. Jose. I don't know about private enterprise on Guam. That differs with the different private corporations and their own business policies; I cannot speak on that.

Vice Chairman Horn. What I would like, Mr. Chairman, is to ask the director of the Office of Territories for a little explanation for the Commission as to the origin of and how this wage differential system works, and the degree to which the American Government is responsible for setting the policy, and why it would apply to Guamanians who come to the United States, secure their education, in essence becoming professionals, and then go back to Guam. I'd just like to know what are the policy considerations.

Chairman Flemming. Well, you're interested both on Guam, Samoa and so forth, as to whether we're talking about a going rate or whether we're talking about a rate that somebody has set arbitrarily?

Vice Chairman Horn. I'm just interested in the historical argument.

Mr. Rosario. Mr. Chairman?

Chairman Flemming. Yes.

Mr. Rosario. You asked a question regarding the differential in pay scale and the question: Is where or how did that come about. And I'd like to just briefly state out of experience that when I was in Guam, a lot of the differential in pay scales are due to importation of foreign laborers, which are coming out of the Philippines and now in some cases also from Korea and Japan.

Now, the other differential pay stems from the old naval government administration whereby they paid their personnel coming to Guam the 25 percent differential whereas local people doing the same job would be excluded from that. And those, I believe, are still in existence, and I think that they're still trying to alleviate that problem. I think the government of Guam is doing something in that direction, I believe, with the Department of Labor, in correcting that deficiency.

Vice Chairman Horn. Well, that's what I suspected as one origin of the policy. It would be fascinating to know what the legal ramifications are in terms of American constitutional provisions, the Equal Pay Act, etc. They might also get that out of the Office of Territories.

Chairman Flemming. We'll ask staff to take note of this dialogue and to address a communication to the Office of Territories and request this information.

Commissioner Saltzman, I think we've probably—we're a little bit over our time as far as this panel is concerned. In fairness to the next panel I guess we should say thank you very much. We appreciate your being with us.

[Applause.]

Pacific Islanders: An Overview

Faye Untalan Munoz, D.S.W., M.P.H.*

I am very happy to be here to address this distinguished panel of Commissioners and interested audience. I am sorry that we have such little time to discuss adequately our problems and concerns which could lead to some positive developments. I am to provide you with an overview of Pacific Islanders. That is a difficult task to do, therefore, my presentation will be to highlight those issues which affect Pacific Islanders in America. The fact that I am a native of Guam will tend to bias this presentation. It is most difficult to generalize out of one experience and perspective. Therefore, I trust my fellow panelists will provide in those areas where I have none or inadequate information.

Pacific Islanders include a conglomerate of peoples of Polynesia, Melanesia, and Micronesia scattered throughout the Pacific Ocean. Our concerns today are clearly those islands under U.S. jurisdiction, the protectorates, trustees, or territories. These include American Samoa, Guam, the Commonwealth of the Northern Marianas, and the U.S. Trust Territories of the Pacific.

Geographic Location

The U.S. Trust Territory plus Guam and the Northern Marianas make up the Micronesia group, which consists of about 3,400 islands, islets, and atolls. Micronesia spans approximately the area of the U.S.; thus, one can roughly imagine the Marshall Islands in Florida, Ponape in Missouri, Yap in Colorado, the Marianas in Washington State, and American Samoa somewhere in the Caribbean.

The Mariana Islands are Guam, Saipan, Tinian, and Rota. Since Saipan, Tinian, Rota are now the Commonwealth of the Northern Marianas, Guam may aptly be called the Southern Marianas. The people of the Marianas Islands are of the same culture and race, and the native inhabitants are Chamorros. Thus, Chamorro describes the people, culture, and language of the Marianas Islands.

Cultural Historical Background

Very little data concerning Pacific Islanders are available beyond the stereotypical descriptions of the Islanders as exotic and romantic peoples. Data which could provide comparable analysis of the different island groups in political, social, economic, and religious experiences are lacking.

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The islands have been inundated during the past 300 years with numerous explorations, colonizations, and Christianization efforts. The consequences—sometimes beneficial and destructive at the same time—are immeasurable. As Western civilization comes to the island people, so are their traditional ways irrevocably altered.

In recent years growing numbers of people from the South Pacific Islands have been arriving in the U.S. Many are brought by tourism and the entertainment industries, as is the case with Polynesians. The military draft has played a paramount role in influencing migration, while the quest for better educational and economic opportunities became a secondary motivation for migration to the U.S. and is the continuing trend.

Today American Samoans, Chamorros, Native Hawaiians, and other Trust Territory Islanders all share something in common. Their islands are part of the U.S. Territory, making these Islanders U.S. subjects or citizens, unlike some of their neighbors. As U.S. territorial citizens, Samoans or Chamorros do not have full voting rights and representation in the U.S. Government. They have no effective voice in U.S. policy or decisions, but they are subject to Federal legislation like the military draft had been.

The Organic Act of Guam in 1950 ended 50 years of U.S. naval administration of Guam and established a civilian government. However, it was not until 1970, after 20 years of U.S. president-appointed governors, that Guam elected its first native governor. A U.S. law, enacted in 1972, gives Guamanians one elected member of the U.S. House of Representatives; however, he may vote only in committee—not on the floor of the House.

The geographical distance of the islands from the U.S. and their unfamiliarity to people in the U.S., especially to the decisionmaking leaders, and their role and use as defense bases for the U.S. make the Islanders a particularly neglected group of people. The fact that their administration is placed under the Department of Interior leaves questions as to their importance and priority to this country as people and not merely military defense resources for the U.S.

The introduction of the money exchange system and working for wages caused a major shift in the lifestyles and living conditions of the Islanders. An agrarian lifestyle supplemented by fishing and hunting was replaced by employment for wages. Family relocation following World War II caused family separation and breakdown of the bonds which provided strong social, economic, and psychological support for members. The family's role in socializing the younger members was replaced by outside forces as the family unit began to deteriorate as the primary determinant of childrearing, discipline, and training practices and functions. These changes have drastically altered traditional lifestyles and eliminated skills which had allowed them to survive over the centuries, maintaining order and harmony among themselves on their islands.

One of the most significant changes on the islands has been the tremendous increase in the population. In 1901, the earliest census taken of the island of Guam, the population was 9,676. In 1970 it had reached 84,996, a figure which excludes military personnel stationed on the island.

Rapid growth has not been exclusive to Guam, however, as a look at the population growth of American Samoa, the Trust Territories, and the Commonwealth of the Northern Marianas indicates. According to the 1950 census, American Samoa had a population of 19,000 and the Trust Territories had a population of 57,000. In 1970 the population on American Samoa had almost doubled, reaching 27,159. The Trust Territories population had reached 99,940. Based on census estimates, the population increases continued into the '70s with an estimated population of 28,000 in 1973 on American Samoa; 108,000 in 1975 in the Trust Territories, and of 100,000 in 1975 on Guam. In other words, the populations of the entire area almost doubled exactly over a period of 25 years. Of the three islands, Guam has the oldest median age: 20.4 years compared to 16.9 for the Trust Territories, and 16.1 for American Samoa. You will note by these figures that we are talking not only about a very small number of people but also of a total race and, as such, they serve as an argument as endangered species. It is estimated only 300,000 native Hawaiians exist today. This number is, of course, much less on the mainland, and my rough estimates will be that about 100,000 are Chamorros and other Micronesians; a larger number is estimated for Samoans and Hawaiians.

With migration and the influx of other cultures into the islands increasing, the native populations find themselves losing much control over their island. Their developing knowledge of Western and industrial systems has yet to catch up with the rest of the country. Despite emerging local leaderships, the mass is still largely unfamiliar and prone to resort to colonial status and accept the paternalistic system of the U.S. Government. This is not working well for the Islanders. Newcomers from more advanced cultures, more equipped with technological and professional skills are pushing out the indigenous population not only from the labor market, and but also from all social, political, and economic systems if current policies—which ignore the impact on the lives of the Islanders—are continued. To illustrate this point, in November 1978 while I was in Guam, I observed that of three major shopping centers in Guam, there was only one business owned and operated by a Chamorro! Further, the shopping center developments were not owned by Chamorros.

With this sketchy background, I would like to emphasize some concerns with regard to Chamorros and other Pacific Islanders that may serve as background in reviewing civil rights issues to be presented in more detail by my fellow panelists:

1. The islands did not wage war against the U.S. but are victims of colonial and territorial expansion (much like the American Indians) which, as a result, forced these islands to be dependent on the U.S. Stripped thus of indigenous native control over their resources (the sea and the land) and over their own socioeconomical-political systems, the islanders have had and continue to struggle to survive to maintain, on the one hand, their traditional social-cultural integrity, and, on the other, to cope and adapt to a system alien to their own and which, in many instances, are sources of conflict detrimental to their cultural values, beliefs, lifestyles, and traditions—the substance for their survival as a distinct group of people. And like blacks in their struggle for freedom from slavery and continuing with their civil rights and rights against social/political injustices, Islanders are faced with the dilemma for these same rights and their rights for self-determination on their islands as every American aspires.

2. *Ethnic Identity:* Chamorros are the indigenous people of the Marianas Islands. For political expediency, Guamanian was created to separate the racial and cultural ties of the people of the Marianas—a Guamanian is a resident of Guam; while Chamorro instills pride of culture, language, lifestyles, and roots to the island of the Marianas. This creation of a new identity placed upon Chamorros creates problems of sovereignty to the island as others migrate and settle and take away those rights of the Chamorro people; as aborigine people of a new U.S.-occupied land, Chamorros may have entitlement to the Native American Act as Native Hawaiians and American Indians do.

American Samoans, Chamorros, and Hawaiians are a small group. They represent the few who survived earlier results of colonization, etc.: they are a proud people—proud of their culture, their heritage. The survival of their language, culture, values and beliefs over the centuries of difficulties and tribulations are testimony to their resistance to change. Their sociocultural values played an important role in surviving in their type of environment and society. As they observe change around them, there is great concern about their children and their future generation. Intermarriage, early death—due to poor health care, uncontrolled migration, and outside influences are rapidly eroding the cultural fabric and ethnic integrity of the Islanders. Hawaiians and Chamorros of Guam are particular examples of this problem as many of the young now no longer speak the native language, the traditional form by which oral history, beliefs, traditions, etc., are passed on to the young. As language becomes lost, the essence of concepts, beliefs, attitudes, and practices lose much of its cultural significance.

3. *Education:* Educational policy for the islands was not planned around the needs, problems, and potentials of the island people; it was a process—Americanization and for indoctrination of American ideals, beliefs, and attitudes. While this process and policy may have its merits, the type and quality of education to enable the Islanders to adapt to their changing lifestyles, to develop new skills, to meet new technological developments and demands on their islands were ignored. Thus, forced to adapt and compete with an unfamiliar, culturally insensitive, and sometimes conflicting educational process, it is not difficult to understand the dilemma of the Islanders in the U.S. education system.

As a result, we find among Pacific Islanders a dearth of persons trained in medicine, law, economics, and other human services professions to plan, develop, administer, and manage the social, economic, health, and welfare needs of the island. On the other hand, the Islanders are often criticized for lack of leadership and management skills in operating and implementing U.S. Federal programs.

The inadequate education provided Islanders and the lack of employment and skill training programs aimed toward the Islanders' potentials and opportunities for work on the island or on the U.S. mainland are evidenced by few Islanders in professional and technical fields. Instead, most Islanders hold jobs largely in nontechnical, semiskilled, and unskilled fields. Further evidence include the large numbers of naval enlisted personnel from Guam who were used as cooks by the Navy. While these military policies have been somewhat changed, the impact of such policy and practice continues to affect negatively the Islanders, for example, readjustment to civil life, limited income from military retirement, and lacking skills for decent jobs for aging retired military personnel are causing severe economic strains among Pacific Islanders' families. These economic strains are further exacerbated by cultural-family ties which drain family members in helping other members. (The typical Islander resorts to family members for help rather than outside agencies—this practice tends to be preferred so long as social agencies are insensitive to their needs and conditions.)

4. Immigration of Islanders to the U.S. causes many problems of adjustments and accessibility to political, economic, and other benefits afforded all U.S. citizens. Thus, Islanders in the U.S. mainland are largely left on their own limited personal and family resources. Their

scattered few numbers limit their visibility for political access and response.

Immigration into Guam is yet another major stress on the island people, disturbing social, economic, and political development. Immigrants have pushed out the Chamorros from economic control and also rapidly from political control. Guam is a developing country, and its people are also in a developmental phase. Maturity will come in time with appropriate development and assistance. Rapid outside influx can be detrimental as we witness other islands, e.g., Hawaii. In addition, immigration, uncontrolled, will exhaust the limited resources of the island in all services. While it may be pointed out the advantages people from the Philippines and Asia bring to Guam—one cannot ignore its effect on the people of Guam. The policy to open Guam for foreign immigration into the U.S. without thoughtful analysis of the implications (social, economical, political) is detrimental to the people of Guam. Furthermore, without Federal subsidy to absorb the cost of meeting the needs of new migrants into Guam, which has become a port of entry into the U.S., there is an economic drain on the resources of the island which is struggling to keep up with its own local needs. This policy clearly demonstrates the lack of an enlightened concern for the needs of these developing territories.

5. *U.S. census* has not counted and continues to ignore the counting and documentation of people from Guam, American Samoa, Native Hawaiians, and Commonwealth and Trust Territory Islands now living in the U.S. (Native Hawaiian and Native Alaskan imply there are other kinds of Hawaiians and Alaskans. It is interesting that no other State in the U.S. has racial or ethnic identification by its State's name.) Lacking such data on needs—employment, socioeconomic, bilingual education—has deprived Islanders of *all benefits* under these programs and, therefore, reasons for neglect. In light of the size, distribution, and characteristics of Chamorros, Samoans, and other Islanders from U.S. territories, it is imperative that a special study be done on the Islanders to determine their needs to identify their problems and to develop policies and programs that will assist in bringing equity to injustices so long endured. The census under its current policies serves as a method for numerical annihilation for Pacific Islanders. A genuine and just concern for U.S. territorial citizens in the U.S. will seek to properly document their economic and living status in the U.S. as well as on the Island. Until these need documentations are made, Islanders will remain neglected and ignored in policies for all Americans.

Under the United Nations Charter, the U.S. is required to "recognize the principle that the interests of the inhabitants (of the Trust Territory Islands of the Pacific) are paramount, and accept as a sacred trust the obligation to promote to the utmost. . .the well-being of the inhabitants." It is difficult to escape the conclusions that the U.S. has abused that trust. Little has been done on the islands except in the U.S. self-interest, and for those who left the islands either through military draft or other means, no program has been proposed or established to help them. The U.S. has provided assistance to other groups of foreign origins while it continues to ignore the people of its territories. It is my hope that the issues and problems we raise today may guide our conscience and our efforts to establish policies and programs which promote and enhance the welfare of our Pacific Island Peoples of the United States.

Health Problems and the Inadequate Access to Health Care Services for Pacific Islanders in California

by Juan B. Rosario*

Citizens and subjects of the United States Pacific Island territories are among the most neglected populations in the country. The remoteness of the islands and lack of awareness by government and other officials of the cultural shock encountered by Islanders coming to the mainland serves to increase the problems these people meet in seeking health care.

The problems are compounded by the relatively small number of people involved: Pacific Islanders make up less than 1 percent of the total population of the State of California.

Despite their small numbers, Pacific Islanders suffer from a number of unique physical and mental problems out of proportion to their numbers. In addition, many are often unable or unwilling to seek proper treatment.

In the first part of this report, we will discuss the current health situation, and in the second part, the problems regarding health care for these people.

Health Problems

Chamorros, Guamanians, suffer from a number of diseases which either occur strictly on Guam or are more common there than anywhere else in the world: "bodeg," highly volatile inflammation of the legs that often results from poor nutrition, and "chetnut maipe" or "ailment of the heat," are diseases unique to Guamanians. Amyotropic lateral sclerosis or litigo and Parkinson's disease are 50 times more common on Guam than among the general population of the United States. Both diseases are more prevalent on Guam than anywhere else in the world.

In the Samoan community, although accurate figures are not readily available, hypertension, cardiovascular disease, arthritis, and diabetes occur in significantly higher than normal numbers. Adding to this problem is the introduction of disease to American Samoa by other Pacific Islanders because the government does not prescreen or immunize migrants. A markedly higher incidence of alcoholism exists among young Pacific Islanders and those just arriving in the continental United States than is the statistical norm.

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Preventive health care is not a factor in a Pacific Islander's life. Medical examinations, immunization, etc., are not recognized as necessary by Pacific Island people unless some sign of disease is showing. In American Samoa, health facilities are never used except in cases of emergency, accident, sudden illness, or when someone is critically ill. These attitudes have been brought to the continental United States by migrating Samoans. Nutrition for expectant mothers is a problem among Pacific Islanders populations. Tongans, for example, exist on a diet consisting mainly of shellfish and green bananas—staples in the islands. Their eating habits continue here in the United States, with even expectant mothers maintaining the same dietary habits throughout their pregnancies. When the baby is born, however, it is usually fed commercially prepared baby foods, and Tongan infants develop allergies and rashes out of proportion to their numbers. Some Tongan mothers believe this is a result of a radical change in the baby's diet.

Immunization is an enormous problem, even among local stateside populations, and the problem is compounded among Pacific Island communities when language barriers, lack of tradition and understanding contribute to fewer immunizations, and, as a consequence, a higher incidence of disease among Pacific Island youth.

Mental health among the elderly is also a problem aggravated by being in the continental United States. In most Pacific Island communities, the elders are treated with care and respect, taken care of by the families and traditionally live at home until they pass away. In modern American society, the elderly are shunned, thought useless, and put away in old age homes where they waste away the remainder of their existence. The conflict between the two lifestyles causes mental anguish among elderly Pacific Islanders who refuse to participate in any senior citizen programs in the fear that they, too, will be left alone.

Acculturation problems can arise easily, especially among the young, because Pacific Islanders' customs concerning dating are often quite different from the stateside norm. Many students are ridiculed by schoolmates, often leading to fights or other problems.

Inadequate Access to Health Care Services

Pride, prestige, and cultural problems are important factors in the communication difficulties between Pacific Islanders and health service practitioners. The most obvious problems faced by the two groups are those relating to language. Many Pacific Islanders do not speak English very well, so trust—essential in the doctor-patient relationship—is difficult to establish. Other problems include the inability of a patient to describe his symptoms properly, error on the patient's part in taking medication because of misunderstanding the doctor's or pharmacist's orders, and several physical problems and bodily functions that Islanders just do not like to discuss.

Often, health assistance is not sought until a crisis point has been reached or after treatment at home can no longer be accomplished. In conjunction with reluctance on the part of Pacific Islanders to practice preventive medicine, an additional burden of urgency has been placed on the health practitioner's shoulders. A great number of health services are provided at the county level, but most Islanders are unaware of them. Even when they do utilize them, they feel they are not given the help they deserve primarily because of the language barrier.

Islanders afflicted with the unique tropical diseases mentioned earlier will more than likely have difficulty finding a doctor familiar with their ailments, and the cost of returning to their island for treatment or locating a doctor with knowledge of the proper treatment can be staggering. Knowing which doctor to go to for proper treatment can sometimes be a problem, especially if they have been referred and the referring doctor is not specific.

In conclusion, it is our feeling that some sort of health task force should be established as a communicator link between Pacific Islanders and public health services to promote bilingual-bicultural awareness, and solutions to the major health problems these people face here in the mainland, especially in California.

Blacks, Asians, Hispanics, Chicanos, American Indians all have groups they can turn to, organizations that will help them with their health care problems. Pacific Islanders do not. Until the health of *all* the people in the United States is a concern of health care groups, and until major efforts are made to provide everyone with the services and treatment necessary for sound physical and mental health, Pacific Islanders will continue to be among the most neglected ethnic group in the United States.

We appreciate this opportunity to voice our problems and what we feel can be done to solve them. We hope that you are now more aware of our needs and that help for all people will be forthcoming. On behalf of our Pacific Island people, "Donkulu na si yuss maase."

Thank you very much.

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In consultation with Dr. Faye Munoz, Ph.D., WICHE, and Dr. Katherine B. Aguon, Ph.D., vice-speaker, 15th Guam Legislature.

Civil Rights and Constitutional Conflicts with Samoan Culture: A General Overview

by Failantusi Avegalio*

Introduction

Social passivity best describes the Samoan attitude. Samoans in general do not perceive themselves as individuals in the Western sense. From childhood the Samoan is inculcated with values of dedicated and devoted service to the "aiga" (family) and "matai" (family chief). Samoans are taught that the individual is of little consequence; that the aiga and, above all, the matai are central to his existence. Also, that satisfaction of personal needs and desires are subordinate to the needs and desires of the aiga and of the matai. The expression of individualism in a Samoan social-cultural setting is nearly nonexistent. This sense of obligation to family is primarily reflected in the schools.

Compositions submitted by 200 eighth graders last year (1978) contained only 1 essay considered original. Fifty percent of the essays involved Samoan legends in which half of those retold six popular Samoan stories. Forty-nine percent of the essays were short expository paragraphs describing the aiga, thereby demonstrating the students psychological orientations.

Within the context of a sociocultural environment that incessantly deemphasizes individualism and extolls the virtues of universal sharing and communalism, a Western legal framework superimposed on such a system raises grave questions of U.S. constitutional intent and civil rights.

Civil rights in American Samoa raises a very fundamental issue of which resolution would require lengthy deliberation and inevitable commitment. The issue evolves around the applicability of the American Constitution in the American territories, specifically American Samoa.

A very brief description of the geographical and cultural setting will be followed by three paramount constitutional issues which, if applied literally, would destroy the Samoan culture as we know it today. The subject of nondiscrimination and sex-equity in American Samoa will conclude this report.

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* This paper was prepared by Failautusi Avejalio, Department of Education, American Samoa, for presentation by Elam H. Hertzler, Ombudsman, U.S. Office of Education, Department of Health, Education, and Welfare, before the U.S. Commission on Civil Rights, Washington, D.C.

American Samoa

The islands of American Samoa are located approximately 2,300 miles southwest of Honolulu and 1,600 miles northeast of New Zealand, making the territory the only United States possession south of the Equator. American Samoa is comprised of seven small tropical islands of which Tutuila, the largest of the islands (75 square miles), is the center of government and commerce. The total land area of the American Samoan group is 76.2 square miles, of which 96 percent of this land area is communally owned. The present population is approximately 30,000, most of whom are native Samoan.

American Samoa is only a small part of the larger Samoa archipelago. Western Samoa with a combined land area in excess of 1,100 square miles is an independent nation. The Samoan islands were partitioned between Germany and the United States in 1899, with the present five islands of the American Samoa group going to the United States. The following year President McKinley extended the responsibility of administering the islands to the Department of the Navy, which in 1951 [administrative responsibility] was transferred to the Department of Interior. Though the five islands were ceded by the Samoan chiefs between 1900 and 1904, it was not until 1929 that the treaties were acted upon and ratified by the U.S. Congress.

Aiga

Rather than the nuclear family that is known in the United States, the Samoans utilize an extended family system, "aiga," wherein one member of the aiga is elected to preside over the extended family. This individual is know as the "matai," or generally translated, chief. This extended aiga may consist of hundreds to even thousands of members located throughout the several islands of American and Western Samoa. Samoans are very cognizant of their antecedents and take meticulous care in inculcating family members with complicated genealogical histories, thus making Samoans very much aware of who and where their kin are.

Matai

Directing the affairs of the aiga are the matai. The matai maintains a centrally vital position within the aiga. This individual directs domestic matters, allocates labor, represents the aiga in village councils, and acts as judge and jury in administering Samoan law. The matai also are the repositories of knowledge of Faa Samoa—Samoan history, customs, traditions, proverbs, mythology, and to a more refined extent—genealogy. The exact origin of the matai is probably lost in antiquity. However, holders of such titles, who are usually proven leaders, receive special honor and respect. There is even a "respect language" reserved for the matai and others of position, e.g., public officials, ministers. The matai system is one of the twin cornerstones of Samoan life; the system of communal land tenure being the other.

Communal Land

Inextricably bound to the matai system is the communal land ownership system. All communal land is owned by the aiga. The beneficial interest in the lands and fruits of the land belong to the aiga and not to the matai as an individual. The matai holds the family lands as a sort of trustee for the benefit of the family. The Samoan custom is for a member of the family to plant his plantation on the communal land of his aiga either at the direction of or the consent of his matai. Under such custom it is the duty of such person(s) to render service to the matai and, if called upon by the matai, for furnish some fruits of the land that are desired. In situations whereby an occupant of communal land is deceased, such land automatically reverts back to the aiga under the stewardship of the matai, who would then assign the communal land—which was occupied by the deceased member—to another member of the family.

Trial by Jury

The legal concept of trial by jury is fundamental to the American scheme of justice. Until recently, there was no provision in American Samoan law for jury trials. The highest court in the United States has held that trial by jury is fundamental to American justice. And since the high court of American Samoa is—in most respects—an "American" court, it has been recently ruled† by a Federal circuit court in Washington, D.C., that the 14th amendment guarantee of a right of jury trial in all criminal cases—sixth amendment applies if tried in a Federal court—does, in effect, extend to American Samoa.

This decision was rendered despite the obvious cultural and traditional differences in legal perception. In the case of American Samoa, it would almost be impossible for the court to empanel a truly impartial jury. With the Samoan extended family organization, or aiga, it would be a futile task to find jurors either unrelated to or unacquainted with the defendant. A single individual may be related to and aware of several hundreds, sometimes thousands—of potential jurors. Convictions would be rare, considering the very strong family ties and often fanatical loyalties of aigas.

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† The Samoan Pacific Law Journal, vol. 4 (August 1977).

Also, the Samoan sense of justice is based on the principles of restitution rather than retribution or rehabilitation. Thus, should a member of one aiga commit an offense to a member of another, the matais of the two aiga will work out a settlement, with the offender paying an agreed upon amount of pigs, finely woven mats, money, or other goods. In a ceremony of offering, "ifoga," the aiga of the offending individual will publicly approach the family of the offended amidst moving demonstrations of contrition and formally offer the valuables to the matai of the offended individual. If the offended accepts the apology, no more mention is made of the offense. But if the ifoga is not accepted, the offender could be punished in any way the aiga thinks fit, which could be—among others—restitution, banishment from the village or from the island, and—at one time—death.

Due Process and Equal Protection

The profound possibility that the notions of fundamental rights might take on a different meaning in the context of a non-Anglo-Saxon scheme of justice is perennially present with the constant attempt to reconcile such rights and Samoan customs. Fundamental to the American scheme of justice are constitutional prohibitions on governmental action violating the due process and equal protection clauses of the 14th and 5th amendments. No court in America today would presume to uphold the constitutionality of a statute denying an individual the *right* to own property because of his race. Yet the United States Government has permitted the legal institutionalism of racial discrimination in American Samoa. *The American Samoa Code* forbids—with a few exceptions—the alienation of "any lands to any person who has less than one-half native blood. [27 A.S.C. 204(b) 1973]. The statute, however, is designed to keep American Samoa from becoming "another Hawaii," where very few Native Hawaiians claim title to the islands' limited land, and where "foreign" commercialization and exploitation have destroyed most of the traditional Polynesian culture.

The Samoan chiefs who signed the deeds of cession stipulated that the Samoan way of life was to be preserved as much as possible, for they realized that the entire cultural foundation of Faa Samoa rests on the matai system whose maintenance and survival is inextricably bound to the communal land system.

The fact that the Department of the Interior ratified the Constitution of American Samoa demonstrates United States recognition of the Samoan people's desire to preserve and maintain the islands cultural institutions. However, regardless of the obvious objective of self-preservation, the question is: Can a clear and compelling state need be reconciled with the standard interpretation of the 5th and 14th amendments?

Titles of Nobility

Another provision of the United States Constitution which, if applied to the United States territory of American Samoa would have a devastating affect on Samoan culture, is Art. I, SS 9, 10., which states that ". . .no titles of nobility shall be granted by the United States. . . ." The laws of American Samoa not only recognize but reinforce and promote the matai system. Included among the constitutional qualifications for the legislature, for example, is the stipulation that:

> A senator shall. . .be the registered Matai of a Samoan family who fulfills his obligation as required by Samoan custom in the county from which he is elected. (Revised Constitution of American Samoa, Art. III, S 3(d).

If the bestowal of an ancient title, which makes a man a matai is indeed the granting of a title of nobility, serious constitutional questions can be raised.

The fact that Samoan custom has survived 74 years of American rule speaks to its primary importance to the Samoan people, and there is general agreement among the otherwise splintered political groups on the island that Faa Samoa should not be sacrificed at any price. The extended families still provide the social basis of Samoan culture and the political and economic power of the controlling matais remain strong.

Title IX

The Samoan women has traditionally held a position of honor and respect in traditional Samoan culture. Actual role definition is culturally flexible and accommodating. The virtue of hard work and service to the aiga transcends the issue of sex. For example, it is not unusual to observe a Samoan women planting taros or carrying heavily ladened baskets on her shoulder; both tasks commonly performed by men. Likewise, men raising children and cooking for the aiga is no more unusual than women fishing and harvesting bananas.

In matters of leadership, women are not excluded from holding matai titles or any other traditional position of social significance. In fact, the first royal monarch of the Samoan islands was a woman—Queen Salamasina. Male matais, however, predominate. It is also universally recognized that the wise counsel of a traditional Samoan wife exceeds in value the collective wisdom of a village council.

Within the village social hiearchy, for every male organization there is a female counterpart. Salient of such village organizations are the aumaga (male organization) and the aualuma (female organization). Though their specific functions vary as to the occasion, they both function equally.

Conclusion

It is extremely difficult in American Samoa to raise the issue of civil rights in the context of Samoan culture. Central to this issue is determining to what extent do American principles of equality—embodied in the United States Constitution—apply to American Samoa. Notably, Samoa wants to avoid the fate of tourist hotels and foreign ownership that has removed any trace of native culture in Guam and, to a substantial degree, Hawaii. In particular, there is a fear that the application of the equal protection clause of the 14th amendment would destroy Faa Samoa by destroying the land communal ownership system. The matai system, in turn, would collapse without the communal land system to provide the primary support for its existence.

Issues of freedom of speech are significantly curtailed when the individual is taught that such individual manifestations are contrary to Faa Samoa and disrespectful to the matai. The dilemma is further exacerbated with conflicting sociocultural philosophies. Civil rights in the American context embraces the individual through the provision of safeguards to his or her individual civil liberties, rights from the arbitrary rule of regal fiat, and the caprice of the group.

Samoan culture, on the contrary, emphasizes the group but not the individual. Such a fundamental difference calls for a more flexible standard of due process and constitutional application to be developed for the territories. Such an effort may very well call for a constitutional amendment—as it would be a pity that in the long process of eventually becoming Americans, American Samoans must offer up in sacrifice, century old traditions, customs, and its culture upon the altar of American democracy.

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The Identity Crisis of Pacific Americans and its Implications for Educational Opportunities

by Pat H. Luce*

The term Pacific Islanders or Pacific Americans has been seen and heard by many, but, unfortunately, it has a remote connotation. For example, in efforts to promote Asian/Pacific American Heritage Week in California, the Office of Samoan Affairs received an inquiry from a State assemblyman who needed assistance in identifying the Pacific American groups. The vagueness in knowledge and recognition of the Pacific Americans has presented various implications of inadequate representation and services in government programs for Pacific Americans. For the purpose of my presentation, I shall focus on the program area in education.

Pacific Islanders: Background

Pacific Islanders are referred to by anthropologists as "Peoples of the Pacific." Within the large Pacific Ocean span are found three major groupings known as Polynesia, Melanesia, and Micronesia. Hawaii and Samoa are among the Polynesian group; Solomon Islands and Fiji are in the Melanesian group; Guam and the U.S. Trust Territories are in the Micronesian group. Though there are populations of all these groups in the United States, the largest representations are from the islands that have ties to the United States, i.e., American Samoa, Guam, the Commonwealth of the Northern Marianas, and the U.S. Trust Territories. With the exception of American Samoa and Guam, these other islands became a part of the United States only since World War II, or about 30 years; American Samoa and Guam for over 79 years.

We, native Americans, citizens and subjects of the United States Pacific Islands territories, are one of the most neglected populations of this country. Very little data concerning Pacific Americans are available beyond the stereotypical descriptions of them as exotic and romantic peoples. Lack of statistics has great bearing on service programs in response to their needs. As one bureaucrat phrased it, "No statistics, no problems."

I am pleased to be here today and to be a representative for Pacific Americans, a minority among minorities. California has the highest concentration of Pacific Americans. Even though our numbers exceed those found in our homelands (e.g., Samoan Americans in California number in the 90,000—a population which represents three times the number in American Samoa (source: 1975 census of American Samoa)), in comparison to the ethnic people of color, we are seen as an insignificant number, yet we are still native American Pacific Islanders who are being ignored.

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Owing to an existing process used by government agencies and various institutions in identifying populations, the Pacific Americans are placed in a category without an identity—the "other" category. Implications of such a process, whether it be on local, State, or Federal levels, signifies a consistent exclusion of Pacific Americans in receiving representation and services. The Pacific Americans from the territories who are U.S. subjects or citizens and have migrated to the United States find themselves to be neglected Americans with no identity.

Samoan Americans as a Model

It is beyond the scope of this paper to illustrate or describe the various migrant Pacific American communities. Therefore, only the migrant Samoan American community will be used as a model to describe the plight of the Pacific Americans.

Background

There seems to be three major reasons why the Samoans migrated to the United States. First, the U.S. Navy, which governed the islands since 1900, closed its base in 1951 and transferred jurisdiction of islands to the Department of the Interior. As a result, a good number of Samoan workers (military men and civil servants) moved with the Navy and eventually settled around naval bases in western coastal States and Hawaii. Another factor that accounts for the migration of the Samoans is their desire to take advantage of the opportunities that are supposed to be available in the United States. Like most migrants, they sought better job opportunities and quality education for themselves or their children. However, whereas the Navy first brought the Samoans here, and available opportunities continue to attract a steady stream of newcomers from both Western and American Samoa, in time a kind of snowball effect developed.

Problem

It is estimated that there are some 90,000 Samoans in California. They are concentrated in San Diego County, the Greater Los Angeles area, and the San Francisco Bay Area (addendum I). One of the fastest growing ethnic communities in the State, Samoans are also one of the most neglected, deprived, and underserved of populations. Because of economic, linguistic, and cultural discrimination against Samoans by larger society, Samoans face critical problems of poverty, unemployment, family breakdown, alienation, and cultural disintegration. As a consequence, Samoans for well over a quarter of a century have silently suffered the plight and squalor of an indigent and isolated people.

For any migrant community, economic survival is of paramount concern. For Samoans the problem of economic survival is compounded by the fact that we are poorly equipped to compete in the labor market of a highly industrialized urban society. Most Samoans have little education and limited English language skills. In a study of 410 Samoan households in the Los Angeles area, it was reported that fewer than half of the respondents had completed grade school (Shu, 1977).

The consequence of limited education and poor language skills is that most Samoans can secure only low paying, menial jobs. Low income in turn makes difficult the maintenance of a family and the caring for dependents. Low income also severely limits the choice of housing for Samoans, whose average family size is seven or more persons (Choi, *et al.,* 1976). Poor language skills deter Samoans from seeking and receiving adequate health, and neglect of health often leads to disruption or loss of employment and income. Low income or loss of income, coupled with a large family, frequently necessitates dependence upon welfare assistance. A study conducted by the Department of Planning and Economic Development in Hawaii in 1973 reported that, while Samoans constitute 2 percent of the population, they make up 5 percent of welfare recipients.

The traditional social and cultural institutions of Samoan society no longer provide support and stability to life in the new difficult environment. In Samoa, society is organized into large extended family groups, each headed by a chief. For Samoans the structure of the extended family provides security and protection from the adversities of life. The family is the vehicle for all members to share their resources and to provide mutual aid and comfort. This breakdown is part of the current change and cultural conflict. The once unique and powerful hereditary role of the chief was the central figure to turn to in times of trouble. When the Samoan extended family migrates to the mainland, the chief cannot solve his people's problems because now he is not aware of the services and resources in the new community, nor able to utilize them because of the language barrier. The chief is suddenly deprived of his traditional helping, guiding role. He loses stature and respect among his people, particularly among the youth. The result is that many Samoans, overwhelmed by feelings of hopelessness and shame about their situation, cease to look for assistance. Samoan parents act out their frustrations in their relationship to their children and the incidence of child abuse, violence, and permanent welfare dependency is increasing.

For the individual Samoan male who is relegated to a menial, low paying job because he lacks skills and language, the frustration is especially acute. He feels he cannot get ahead because there is no prospect of a better paying job. He still feels compelled to assist members of the extended family who depend upon him. In return, he feels he gets little reward or fulfillment. In this situation of prolonged and mounting dissatisfaction, the Samoan male, deprived of recourse to culturally sanctioned outlets for his emotions, such as native sports, games, and dances, increasingly gives vent to his suppressed frustration and anger in acts of violence and aggression. Thus, we find that Samoan males in increasing numbers are being brought before the courts for offenses involving acts of physical aggression. The study of the Hawaiian Department of Planning and Economic Development noted that, while Samoans are 2 percent of the population, they account for 25 percent of all homicides. Other related forms of behavioral response to their situation may be seen in the increasing incidence of alcoholism and drug abuse.

Contact with the research division of the Community College of San Francisco in regard to Samoan participation in adult education posed the usual "minority" problem. Samoans do not even have an identity in the U.S. although they represent a population proportion in this city larger than the American Indian or the Japanese (15,000). Because of this, they are classified as Asian and Pacific Islanders, which represents 3 percent of the reported adult education population (October 1978, 548 people). In Los Angeles the number of participants is a little greater, but the population is considerably greater (45,000). San Diego, Seattle, Honolulu, the gateway cities, all make the same statement. They do not know to what degree Samoans are participating, and if they are, it is a very small proportion in relation to the population's need.

In summary, the Samoan community is confronted by a whole range of problems related to their status as recent migrants to the mainland. They face a difficult transition to their new environment because of the enormous cultural gap between Samoan and mainland societies. The traditional Samoan way of life and the cultural and institutional supports they were accustomed to are being rapidly eroded by the unrelenting pressures of their new urban technological environment. They no longer feel the security, stability, and sense of direction they formerly experienced within the extended family and under the guidance of a benevolent but authoritative chief. Under these conditions, the extended family is disintegrating. Increasing numbers of families are being brought to court for child abuse. Samoan males, consigned to menial, low paying jobs, give vent to their frustration in increasing alcoholism, drug abuse, and acts of violence and aggression. Youth, struggling with their marginal status between two conflicting cultures, act out their confusion in acts of delinquency and crime. Yet, with all of these problems, Samoans are not utilizing the existing services (Chen, 1973). They either do not know where to seek assistance, or are reluctant to utilize existing services because of cultural and linguistic barriers, or do not return because of insensitive service providers or irrelevant services.

Implications for Educational Opportunities

The forefront of Samoan and Pacific American problems is the lack of identity and recognition for this group of native Americans. A language barrier is also a major problem which exists. This has a great impact on the degree of relevancy for existing educational programs. Adequate educational programs which respond to linguistic and cultural conditions are essentially unavailable, however, the social conditions and the rapid changes that are occurring clearly point to the need which is rapidly increasing.

In the State of California, only one bilingual program for Samoans exists in Harbor City. Multicultural education for Pacific Americans is nonexistent. Bilingual curriculum for Pacific American speakers or for use in multicultural programs are unknown. Bilingual curriculum centers and school districts which have been federally and State-funded to develop such programs have not responded to the needs of Pacific American students.

There is a high degree of exclusion and a form of discrimination experienced by the Pacific Island students and the communities-at-large. It is not uncommon to find at least one dropout in practically all Samoan households. Few, if any, attain higher levels of education. Strong feelings of alienation are rampant among Samoans and Pacific Americans, especially the young. Hostility is high and intergroup violence is a serious potential problem. Already incidents are occurring between local high school students and nonlocal students. Acculturation is creating many value conflicts, personal conflicts, etc., which are stressful and sometimes without resolution.

Insensitivity prevails in all levels of government in reference to the education of Pacific American students. How long must we experience the discrimination through the exclusion of adequate educational programs?

Something has to be done, and must be done soon!

We recommend strongly that a special task force be established to look closely at these problems of the Samoan/Pacific Americans as societies in transition and to examine ways and means for interventive measures which will achieve optimal educational opportunities for these people in their own social and cultural milieux; to assist the Samoan/Pacific Americans in the development of their own resources and to organize those resources around meeting new and emerging problems of cultural change and transition; and to restore those cultural values and practices which support and maintain a harmonious existence of these people within their own physical, social, and cultural environments.

Following are additional recommendations:

Issue: Government agencies utilize statistics to plan program priorities and needs.

Recommendations:

1. Recognize the shortcomings of the present census process and take steps needed to update current statistical data on Samoan/Pacific Americans.
2. The current definition of Pacific Americans used for data collection and planning should be more clearly defined.

Rationale: Demographic data is used by current administration to document needed services.

Issue: The underservice to Samoan/Pacific Americans.

Recommendations:

1. Formal outreach program must be established to deal with areas with substantial concentration of Samoan/Pacific Americans.
2. Outreach programs must have the following components:
    a. Bilingual-bicultural Samoan/Pacific American counselors and professionals who can serve the Samoan/Pacific American population.
    b. Must be in the Samoan/Pacific American community.
    c. Samoan/Pacific American counselors who can act as consultants and cultural awareness trainers to nonbilingual or bicultural programs.
    d. Designation of a Samoan/Pacific American bilingual-bicultural counselor or professional to their respective ethnic group. They must act as direct liaison between the Federal, State, community, and consumer groups.
3. Develop new and expand new bilingual facilities and bicultural delivery agencies and/or groups in substantially Samoan/Pacific American populated areas (i.e., San Francisco).

Rationale: The current California State administrator (department of education) is not adequately serving the number of Samoan/Pacific American individuals.

Issue: Insufficient bilingual-bicultural Samoan/Pacific American Staff.

Recommendations:

1. Hire bilingual-bicultural Samoan/Pacific American staff at administrative, management, planning and supervisory levels—all levels of government; national, HEW Region IX, State, and local.
2. Hire bilingual-bicultural Samoan/Pacific American case managers in proportion to the number of Samoan/Pacific American needs.
3. Give high priority to the hiring of Samoan/Pacific American individuals in areas of dense population.
4. Recruit Samoan/Pacific Americans from the full range of education institutions (community colleges, universities, graduate and professional schools).
5. Solicit advice and assistance from Samoan/Pacific American community on recruitment efforts.

Rationale: The present California State administration does not have a Samoan/Pacific American bilingual-bicultural staff.

Issue: Inadequate administrative, financial, and communicative systems.

Recommendations:

1. Administrative actions must be taken in compliance with the Civil Rights Act to resolve the discrepancies between percentage of Samoan/Pacific American individuals on program caseloads and their percentage in the general Samoan/Pacific American population. Great assistance can be designated by HEW, Region IX, to implement this process.
2. Change current administrative standards to encourage innovative educational delivery approaches.
3. Change current administrative standards to encourage effective outreach to Samoan/Pacific American communities.
4. Amend the current process for determining priorities for the awarding of facility grants. Direction given by HEW, Region IX.
5. Provide financial and administrative support to develop more bilingual-bicultural educational resources to Samoan/Pacific American population.
6. Agencies that serve the Samoan/Pacific American population must have specific percentage of consumers (parents or clients) on the board of directors.

Rationale: The current California State administration and HEW Region IX have not provided the administrative, financial, or communicative systems to meet the needs of the Samoan/Pacific American population effectively.

Education Issues

VICE CHAIRMAN HORN. Our last panel of the afternoon will concern matters of education, and we have with us two panelists, the first will discuss the report of the Asian and Pacific American education conference, which was held in San Francisco, on April 25–27, 1979, and this panelist is Mr. Stephen Thom, director of the Asian and Pacific American Concerns Staff, Office of Education, Department of Health, Education, and Welfare.

Presentation of Stephen Thom, Director, Asian and Pacific American Concerns Staff, Office of Education, U.S. Department of Health, Education, and Welfare

MR. THOM. Thank you. I also want to recognize Dr. Flemming; we've worked together before and it's always been my pleasure.

CHAIRMAN FLEMMING. More than once.

MR. THOM. More than once.

I appreciate this opportunity to express some of the Asian and Pacific American concerns in education, but unlike my father's father who testified in Congress in 1920 against the Chinese Exclusion Act, I hope the educational concerns will be heard and acted upon positively.

My presentation today is a summary of the educational concerns as identified by the National Asian/Pacific American Educational Alliance consisting of some nine national organizations and nine local teacher organizations. These concerns have and will be submitted to you.

We are calling this report a national Asian and Pacific American agenda. It was developed as an outcome of the first national Asian and Pacific education conference held in San Francisco as previously mentioned.

I think it's important to note that this was a first—and looking at the date, April 25, 1979, finally Asian Pacific Americans are getting together and beginning to work towards this kind of national direction.

I think that gives us insights into the kind of support that has been needed by Federal Government and by other agencies and gives us insight into the lack of sophistication and collective workings on the part of Asian/Pacific Americans.

By now you should have a fairly good understanding of the broad diversity of the Asian and Pacific American people. We are a multifaceted people with diverse languages and cultures, with patterns that after generations continue to have their effect on how we see ourselves and how others perceive us.

In education we vary from the high in educational attainment to the low, for example, 90 percent of the American Samoan children in the 12th grade are at least five grades below grade level in reading achievement, as indicated in a report just recently submitted.

In education, Asian and Pacific Americans range from the highly motivated immigrants who have graduate degrees to the illiterate mountain people from Laos, from the ghetto born and raised Americans with a history of racism, discrimination, and involvement in drugs, to successful lawyers.

We are not all alike, and there's no model minority in education either. Asian and Pacific Americans are different among themselves as well as from the rest of society.

In looking at the resolutions in the national agenda, there are no real new surprises. Asian/Pacific Americans have been and continue to ask for equal educational opportunities in the form of input into Federal-State policy and legislation, bilingual education, multicultural education, Federal funding, nonracial and sex role stereotyping by counselors, more support services, administrative training, and research and data collection.

Let me emphasize on research and data collection. We just cannot give you a lot of numbers, figures, and statistics to prove a great deal of what we know to be of concern to our communities. We just cannot and have not been able to get studies accomplished that will give us that kind of data.

I think that's been our message over and over again.

My key concerns—and I mentioned this to Ling-chi earlier—are those six areas that I've mentioned to you. They have been the same problems that Asian and Pacific Americans have faced in education, since as early as 1972 at an Asian American NEA conference in Portland, Oregon, later at a women's education conference in 1976, and in 1978, at an OE-sponsored Asian/Pacific American education miniconference; yet very little has been done that has really demonstrated any progress.

We've identified the problems over and over again. We've proposed solutions over and over again. And yet there's something very lacking about the implementation of these recommendations.

I cannot understand, absolutely cannot understand, if there is to be parity and equality in this system, why some of these problems have not been amply addressed at this time. Why do Asian/Pacific Americans continue to find themselves excluded in determining policy, regulations, and legislation?

Asian/Pacific Americans, by any fair selection process, should be represented at all levels of government. In the Office of Education, in

60 percent of the 16 advisory councils, there are no Asian and Pacific American members.

Ironically, there are no Asian and Pacific Americans employed by the equal educational opportunity program in our key identified areas of need: vocational education and adult education. Just recently Ernest L. Boyer, the Commissioner of the U.S. Office of Education, has enforced the broad representation of minorities and women and handicapped on all reading panels, so that each panel will have diversity in race, sex, and ethnic representation.

Earlier this week, there was a conference on employment where we looked at minority and women employment. We talked about networks and buddy systems as barriers. We talked about attitudes that are conveyed in terms of the kinds of buddy systems and networks that exist.

And of the two proposed resolutions, one was again broad representation on any selection panel, and second, a need to attitudinally prepare children and adults for broader understanding of racial and cultural diversity in a positive, different and yet equal way.

This is the type of diversity that should exist in every formal body. I know that you have a position for a Commissioner on the Civil Rights Commission, and I would strongly propose that an Asian American be considered for that Commission slot.

[Applause.]

VICE CHAIRMAN HORN. I think I should say again for the record what perhaps you know, that this Commission has no choice in who serves, that is a decision of the President of the United States.

MR. THOM. We'll talk to him, too.

Asian/Pacific Americans continue to demand appropriate bilingual instruction and look upon language retainment as a benefit, not a handicap, as it is often treated. We do not see any other form than bilingual education as adequate for monolingual Asian and Pacific American students. English as a second language, which is commonly proposed as an alternative in teaching English, has the focus of teaching English alone. But ESL or English as a second language hinders the monolingual child in his meaningful education and conveys a lack of acceptance of the child's language and culture, if only that approach is used.

We know that the *Lau* remedies are being reviewed, and that Asian/Pacific Americans are extremely concerned about any change in the remedies that would have a weakening effect on bilingual education.

The other key concern that was brought forth by the alliance at this conference was multicultural education. Asian American education leaders identified multicultural education as the third highest priority.

It is important to provide each child with a sense of identity as a contributing ethnic American to provide equal educational opportunities that recognize the positive cultural differences in American society, and to utilize cultural influences in the appropriate learning styles of the child.

There are several other resolutions, 13 in total, that came out of this conference. I've submitted them to you which hopefully you will read and support. If there is any need for clarification, I'm here in Washington and will be glad to work with you on that.

Vice Chairman Horn. Those resolutions will be included at this part in the record.

Thank you very much.

We have with us again to discuss the educational needs of Asian Americans, Dr. Ling-chi Wang, assistant professor of Asian American studies, University of California at Berkeley, who will comment on the impact of policy programs and enforcement on the educational needs of Asian Americans.

Professor Wang?

Presentation of L. Ling-chi Wang, Assistant Professor, Asian American Studies, University of California, Berkeley

Dr. Wang. Thank you very much, Commissioners.

I'm sure the three of you are very tired now. I was just telling Steve Thom before we came up here that I felt what I will have to say is beginning to sound like a broken record. Some of those conferences, including the first one that you cited, I was present there, and we were talking about those same issues we are still talking about today. Because of the time and probably you're tired already, I thought I would talk about something a little bit different.

Vice Chairman Horn. I can assure you this Commission does not get tired, we can go to midnight.

Dr. Wang. This is more like a test of endurance. You've been sitting here since 8:30. I'm very appreciative of your patience and endurance in sitting here and listening to a lot of these concerns that have been brought before you.

Just before I start I would like to suggest, since you also responded to my comment earlier this morning about the appointment of an Asian American to the Commission, I agree with you that the appointment power rests with the President, but I think if the Commission sees fit to send a letter to the President suggesting that it may be a good idea for him to look for an Asian, as part of the concerns of the Commission and also part of the President's own concern about the Asian heritage and contributions to the building of this country. I think it may be a good idea to do such a thing.

[Applause.]

Vice Chairman Horn. Well, may I say that while I might be personally sympathetic to that, given the fact that one vacancy exists, we would have in line immediately, as we already have had, American Indian, white women, etc., all other groups one can think of, to say why are you choosing and picking among various groups that deserve attention?

So we leave the pleasure of that choice to the President of the United States.

Dr. Wang. Okay. But I hope the people in the audience will start writing to the President about it. You know, pursuing the major points I made this morning relative to the need of the developing new and refined criteria for assessing the civil rights status of Asian and Pacific Americans, I would like to discuss the impact of Federal policy, programs, and enforcement on the Asian American educational issues.

Specifically this morning I mentioned five points: (1) the need for an historical perspective on a current civil rights problems of Asian Americans, (2) the nonhomogeneity among Asian Americans, (3) the development of additional criteria for reviewing Asian Americans, the compliance status for Asian Americans, (4) negligence on the part of responsible Federal agencies, in their enforcement of civil rights law, and (5) on the relationship between the types of personnel in the Federal Government and the distributive mechanism of Federal resources and services.

In its Supreme Court brief on the *Bakke* case, the Justice Department pointedly questioned the inclusion of Asian Americans in the special admissions program for minorities in professional schools such as the University of California at Davis. Specifically, the Justice Department's brief cited four reasons: One, the median school years completed by Asian Americans is higher than whites. Two, Asian Americans as a group appear to score as well or better than whites in the achievements tests and in grade point averages. Three, Asian Americans have lower unemployment rate than whites. And four, Asian Americans are disproportionately represented in the professional, managerial, and administrative positions in the labor market.

Now, these data and conclusions presumed to be based on the 1970 census are indeed disturbing to those concerned with the civil rights issues facing Asian Americans. They should not be dismissed lightly, neither should they be accepted blindly as the final gospel of truth.

In fact, the Asian American community was so concerned about this set of conclusions that prior to the formal oral arguments before the United States Supreme Court, a meeting was held with both the Justice Department staff and the White House to discuss the sources and validity of the Justice Department's claims.

Representatives of the Asian American communities presented data and conclusions quite contrary to those arrived at by the Justice Department, compiled from the same 1970 census, and successfully persuaded the Solicitor General to modify the conclusions in his oral presentation before the United States Supreme Court.

In terms of these conclusions, unfortunately, the perspective and position of the Justice Department are widely represented in the Federal bureaucracy. As the panel on the census reported this morning, the problem rests precisely on a faulty data collection methods and on the nonapplicability of certain nationally defined indicators on the Asian American population.

If we were to look at the historical participation of Asian Americans—and this I'm referring to primarily the Chinese and Japanese Americans—the participation of Asian Americans in the labor market and in schooling, we find certain patterns emerge that are extremely useful for our understanding here.

To begin with, the second-generation Chinese and Japanese Americans emerged before the Second World War in a community that was politically disenfranchised, economically discriminated against, and socially ostracized from the mainstream of American society.

Convinced that the only way to break out of those socioeconomic status and ghettoized existence was to cast aside their cultural heritage called by the white as "nonassimilable" and to become well educated and thoroughly "Americanized," most Asian parents at great family sacrifice and expense, sent their children to segregated schools and pegged their future in the United States solely on their children's education.

Motivated partly by pressure from their parents and influenced partly by the rising demand for educated and technically competent personnel in industries and corporations, most second-generation Chinese Americans and Japanese Americans chose, not necessarily by their own free will, to disassociate themselves culturally and linguistically from their parents and community in order to become assimilated or accepted by the white society.

Their hope was to get a good education and to seek employment opportunities outside of the menial occupations of their parents, meaning the rising white-collar sector of the labor market.

Soon many received high school diplomas while others succeeded in getting academic and professional degrees from colleges and universities in this country. In spite of their educational achievement, they discovered, to their great surprise, that upon graduation they were unable to break into the highly segmented and discriminatory labor market.

The choice they had was to either take up the low-paying and low-prestige jobs like their parents, or to "go back to the old country," meaning China or Japan, where they "really belonged," so to speak, or where their skills and training could be put into good use.

Having impeccable qualifications and being thoroughly Americanized or assimilated were obviously not enough to be accepted in the American society. They were counseled by their elders to sacrifice themselves, to lower their expectations, and to endure hardship and injustice.

The duty and responsibility of the second generation according to an editorial in the *Japanese American Courier* in Seattle, was, and I'm quoting from the editorial, "to be fitted into a sacrificial position as pioneers to blaze a trail into American life to effect the proper recognition of themselves as genuine American citizens, to help the proper and easier amalgamation of the third generation in American life." In fact, the *Nikkei Shima* , another newspaper, stated, "We are frankly pessimistic as to the real good vocational opportunities which are open now for Japanese high school and college graduates. It is not enough even to be equal with whites, we must surpass them by developing our powers to the point of genius if necessary. We believe that a complaint against racial prejudice in a matter of vocational opportunities are not justified. They only show that something is lacking in the initiative or ability of the one who complains."

Members of the Commission, and ladies and gentlemen, this prewar mentality that I just quoted is still being perpetuated by segments of our Asian American population and, of course, vigorously pursued by employers through their practice and tolerated by the Federal endorsement agencies to this date.

I'm certain the panel on employment issues will further elaborate this point in their presentation tomorrow. However, I do want to make a point about what happened during and after the Second World War. The Second World War created an unprecedented demand for skilled and technical personnel in the war-related industries. Suddenly the highly trained Asian Americans found themselves in great demand. Indeed, they were plugged from the ghettos immediately into the newly created technical and clerical occupations.

The recruitment into the war industry was so sudden and dramatic that the Chinese American community in particular concluded early that racial barriers against them had been removed and Chinese Americans were finally accepted or assimilated. In retrospect, this was not the case.

The war and the Cold War created the now famous and economically indispensible military-industrial complex, a term coined by President Eisenhower on the eve of his departure from the White House.

This complex demands large numbers of highly trained and technically competent people. The composition of our labor force also shifted significantly from the agricultural to the technological dominance to reflect this military emphasis since the Second World War. It is, therefore, by necessity that Asians were drafted into a particular area of technical education and have become quite successful in it that they were drafted into these war-related industries, clearly not due to such politically charged notions of "success" and "assimilation."

In other words, Asian Americans were recruited into the new and expanding sector of the labor force, the war-related industries, in very much the same manner as their ancestors or parents when they were first brought over to the United States in a rapidly developing economy of the West. These highly educated Asian Americans, incidentally, have been largely confined to and very much discriminated in this very sector that I just mentioned since then.

Let me comment briefly, now, on the other points I made this morning with regard to education. On the question of the nonhomogeneity of the Asian and Pacific Americans, there are two distinct types of needs among the Asian children: those born and raised in the United States and those children of immigrant families. Since the need for bilingual-bicultural education programs among the immigrant children demonstrated most forcefully by the San Francisco experience in the case of *Lau v. Nichols*, this need cannot be overly exaggerated.

Unfortunately, the Federal Government, especially through HEW, has done very little in providing effective leadership and support for the development of bilingual-bicultural educational programs for the various Asian groups throughout the United States.

The Office for Civil Rights, as usual, has been timid and reluctant in conducting a vigorous enforcement of the *Lau* decision. In fact, I'm fearful that HEW, through OCR under pressure from—tremendous pressure from racist backlash and financial consideration, is rapidly retreating from its earlier commitment to the enforcement of the *Lau* decision.

I think it is important for this Commission to immediately conduct a thorough review of what OCR has been doing or has not been doing since the *Lau* decision was handed down in 1974.

As for the American-born children, I'm most concerned about what education has done to our children. It is now common knowledge that Asian American students have serious handicaps in speaking, reading, and writing. In our studies among the students, Asian American students at the University of California at Berkeley where I come from, we find this deficiency to be related to their education. Ability to express one's self effectively seems to be related to one's own self image.

Textbooks, curriculum materials, and mass media continue to ignore the Asian American experience or to depict Asians in racist and derogatory manners. These certainly have inflicted serious and lasting psychological damage to Asian self image and self respect. We also find Asians to be conspicuously absent from social sciences and humanities areas. Instead they tend to concentrate on the hard sciences; this is probably related to the external factors such as their profession, of the labor market potentials in terms of the type of education, and certainly internal factors such as family pressures and of inadequacies in creative arts and social sciences.

It would be an understatement to say that we desperately need to integrate materials on Asian American experience in our school curriculum as the first step toward erasing the feelings of being second-class citizens, as the newspaper editorials that I quoted earlier, and as some—I quoted earlier, and as some, I think Steve Thom mentioned earlier, the need for multiculture education is like a broken record. Everywhere, every meeting I attend, people talk about it, and I cannot really overemphasize that point here.

It strikes me as very unusual that during the height of the civil rights movement in the '60s, suddenly we saw a large volume of articles and literature that came out about the successful Chinese American and successful Japanese American. In fact, they were oftentimes linked to the demand of the blacks, Chicanos, and the Puerto Ricans. The line of thinking behind these articles and studies, and many of these studies, by the way, were supported by the Federal Government, is to show that the—how these so-called discriminated or oppressed groups such as Chinese Americans and Japanese Americans were able to get themselves out of oppressive conditions by their own power and by their own determination.

And then on the opposite side to show how the blacks and the other minorities were unable to do so. And I think this is an extremely political type of study that had come out in the 1960s. I think what it has done is, on the one hand, to show supposedly the success of Asian Americans, and on the other hand, to question the demands made by the other minority groups. This type of study, unfortunately, is still very current today. It's very racist and certainly very much politically motivated and has caused tremendous racial tension.

And I think, you know, many of the studies people have made now recently, especially those done by Asian Americans, have shown that there's no basis for us to continue to hold onto the idea that Asians are assimilated, and I'm sorry to also say that even in President Carter's own proclamation, as much as I support the idea of an Asian Heritage Week and the importance of it, I think in his own statement he gave the American public the impression that discrimination against the Asian was a thing of the past; Asians now no longer have any problems in our society. I think what he said was a reflection of what we're getting in the media and certainly from the universities in this country. There have been many studies supported by HEW and by the Department of Labor putting forward the same kind of theses that Asians had made it, when, in fact, Asian is the exception in the American society.

I hope that this consultation on the part of the Commission will begin to document the problems of Asian Americans and begin to change people's thinking along those lines.

VICE CHAIRMAN HORN. Thank you very much.

Chairman Flemming?

Discussion

CHAIRMAN FLEMMING. Mr. Thom, Mr. Wang, I am impressed with your statement about the number of conferences that have been held dealing with the problems that confront the community in the field of education. You indicate that all of the conferences arrive essentially at the same point, but you both feel, I gather, that there's been very little in the way of progress in terms of implementing the kind of recommendations that were again repeated in the last conference.

You may not want to respond to this off the cuff, you may want to think about it and then respond for the record. But I think you said there were 13 resolutions, am I correct?

MR. THOM. That's correct.

CHAIRMAN FLEMMING. Okay, of those 13 resolutions, which one would you rate number one in importance in terms of feeling that it was imperative to get the action on?

MR. THOM. The top priority was the one that was presented first, in fact, and that's input. It's almost like taxation without representation; you've kind of heard that before.

My feeling is that I've looked at the mechanisms that the Federal Government has used to outreach into our communities for qualified candidates on different advisory councils. I've looked at the way that we communicate in terms of notifying people about grants. We've studied and tried to make some kind of amenities for that, but it still stands true that if we look at the employment in the Office of Education, if we look at the makeup of the advisory councils, if we look at the number of grants Asian/Pacific American are notified, if we look at the number of people receiving grant information on time and not on the the last day the grant is due, it's a common series of errors that don't need to take place.

My role in the Office of Education is to obtain input from the Asian/Pacific American constituent and to be a guide for the purpose of monitoring. But there are just so many areas, we just have to make it imperative that Asian/Pacific Americans have an opportunity to participate and to give you the kind of input to work around the errors and weaknesses that I think non-Asian/Pacific American employees tend to assume is a correct approach.

A simple example is the atrocious mail situations to the outlying territories. We say, "Well, we'll put an air mail stamp on all postage to the Trust Territories" and they don't receive the grant until a month later.

There's just a lot of these little things that must be told by the people themselves, that they know just don't work.

CHAIRMAN FLEMMING. You think that that is the most important point to emphasize in terms of the end result, namely opening up adequate educational opportunities for the members of the community?

MR. THOM. I think once we have that input, then these other things can be monitored by working together, having a fuller knowledge of the racial and cultural differences and having a fuller knowledge of the understanding of Asian/Pacific American program concerns. You have to have this input through the presence of the person or persons who has the experience to convey that perspective.

CHAIRMAN FLEMMING. There isn't—there isn't a specific thrust as far as the field of education is concerned that you feel should be kind of spotlighted on which a great deal of emphasis should be placed. See what – what I'm getting at is, as far as my own thinking is concerned is this, I'm always concerned about examples of how the system isn't working, and the kind of statement that you made is the kind of statement that I appreciate in terms of its significance in terms of the impact that it has on people's feelings relative to the ability of the system to come to grips with the situation and really do something about it in such a way that it will have an impact on the lives of people.

So that's what I was reaching for, I mean in terms of our weighing of the evidence and our considering the kind of recommendations that we'll make as a result of this experience and other experiences that we'll have in the area, just reaching out and asking for your best judgment as to the type of recommendation that could be the most significant in terms of getting results for the members of your community.

MR. THOM. As you know, in the Office of Education, we do have an Hispanic, a black, an Asian/Pacific American, and a handicapped concerns office as well as a women's educational program, and I think we have worked together with the Commissioner's new educational affirmative action plan where we have implemented this concept of equity on all advisory—all reader panels, etc. I don't think this would have taken place if we, as a collective unit inside of a Federal agency, failed to ask, "Why are educational services continuing to bypass the same people?"

We have pointed out to the Commissioner instance after instance when we review a list of grantees, that time after time the same groups of people are the recipients of funds from every program. People that have the key are in the grant/fund cycle; people that don't have the key stay out. Some breakthrough requires that someone bring this issue before the Commissioner and say, "There is a bypassed group that is continuing to be bypassed?" The Commissioner has responded by his educational affirmative action thrust to try to amend some of these barriers.

So my recommendation is that input is key. And having in each agency some kind of advocacy unit and not a unit for strictly policy review can serve this purpose.

We do need to be in the policy review end to be in a better position to anticipate problems that will arise in my community. I share this with you, a kind of relationship that I think could spare the agencies in Federal Government from being embarrassed from the different ethnic groups. Specifically in the field of education, I believe the organizations which participated in the alliance stated clearly that multicultural education should be spotlighted in the schools of our communities. Multicultural education, as mentioned earlier, provides a foundation for a positive self identity. Asian/Pacific American children in today's schools are taught subject content with models, a language, customs, and in a environment that are not reality to all Asian/Pacific American children. The history of America always starts from the East and moves West, but little to nothing is mentioned regarding the contributions of Asians in the West. We need to provide education for all the people in a way that is appropriate and relevant so that every mind is captured and nourished. Multicultural education, in addition, provides each student with an understanding of other ethnic and racial cultures. These understandings are the basic skills towards recognizing differences and yet acknowledging this diversity as a positive strength of this Nation. Racial and sex stereotyping, discrimination, and hatred are all learned behaviors. Asian/Pacific Americans urge that educators and the system seriously provide the resources to carry out a national commitment to multicultural education.

Chairman Flemming. Both of you came back to the *Lau* decision and just one question on that: Are you working with other minority groups in connection with what you perceive to be somewhat of a threat to the implementation of the *Lau* decision?

Dr. Wang. Yes, we are. We work very closely with MALDEF, the Mexican American Legal Defense and Education Fund, and with the Chinese, the Filipino groups, with Puerto Rican groups. I do want to say that I am in agreement with Mr. Thom in terms of the priority from the Federal Government standpoint. But in terms of education, if there is one single issue, I would say that both American-born and the immigrant children need bilingual-bicultural education. The reason I say that is that we should not be instilling into our children's minds a self-hatred, you know, a shame of being Asian American. We're told to become totally Americanized, forget about our own language and culture; we are told that because we are inferior we have to be better than the whites in order to be equal.

This is a kind of brainwashing that is going on even in today's school system, and I think bilingual-bicultural education or bilingual-multicultural education will do a lot in terms of improving children's own self-image, improving their relationship at home.

Our children, by the time when they reach junior high, will forget about their language and culture. They're afraid even to recognize their parents in the streets of Chinatown because their parents look different and don't speak English. It's this kind of thing that is causing a lot of problems among our children and that's why I feel very strongly that bilingual-multicultural education is one educational program that I think would do a lot for Asian American community.

Thank you.

[Applause.]

Vice Chairman Horn. Commissioner Saltzman?

Commissioner Saltzman. Nothing.

Vice Chairman Horn. Dr. Wang, where is the most successful example you have seen of an Asian American bilingual-multicultural program?

Dr. Wang. I think that the Japanese American bilingual education program in San Francisco is the best one that I have seen. And, in fact—and it's kind of an ideal program. But it is also very much attacked by a lot of people. It's made up of one-third white and black children, one-third American-born Japanese, and one-third foreign-born Japanese. And they were very successful in integrating, achieving real integration and at the same time accomplishing a lot in terms of student performance. You know, there are reports about how they're two, three grade levels ahead of their peers, as a result of getting involved in this program.

And I'm very excited by the way. One of the reasons why it's so successful, I think, is because the parents are very actively involved in it, and they are promoting the kind of a cultural and linguistic heritage that is very necessary. I'ts kind of interesting to find that there are a lot of white and black parents actually pounding at the door and trying to get into that program.

VICE CHAIRMAN HORN. In what school is it located?

DR. WANG. It's originally located in a school by the name of William Cobb, but as a result of a desegregation the program is now dispersed into two—three schools: Sherman Elementary School, Anza Elementary School, and Clarendon Elementary School.

VICE CHAIRMAN HORN. All within the city of San Francisco?

DR. WANG. Yes. And I would say that the Chinese bilingual program, which is the oldest Title VII program in the city, also, I think, is quite successful, although I think not as successful as the Japanese bilingual program.

CHAIRMAN FLEMMING. Does that move to the secondary level, the Japanese American?

DR. WANG. It has not reached the secondary level yet, although the Chinese has. Speaking of this, just last week, I received words from the school system and also from the State office of education, that four San Francisco high schools had been ruled ineligible for State funds to support bilingual education because their AFDC count among the Asian children is not high enough for that purpose, even though there is a need for it.

This is one of the persistent problems that the Asian community face: funding of a lot of the Federal programs and policies is based on the AFDC count. Now, you go into the Chinese—

VICE CHAIRMAN HORN. What is the criterion; what is the cutoff point?

DR. WANG. I don't know what the current criteria are. But in the past, well—I'm sorry, I really cannot say for sure for you. But this has affected us in terms of child care, in terms of State educational support. I think it's fairly well known that, for instance, Asian Americans have not been utilizing the welfare system, even though the combined income of both parents may be lower than the poverty level; they're ineligible for welfare, and, in fact, I think our welfare policy sort of encourages people to break up their family. If both hushand and wife are working, you're penalized in terms of educational services, welfare rights, and other services.

VICE CHAIRMAN HORN. Well, that's an interesting example, I think we ought to pursue and without objection, this dialogue and the incident involved will be transmitted by the Staff Director to the State superintendent of public instruction and to the superintendent of schools of the San Francisco Unified School District so that we can find out the rationale for cutting off that program, and try to see what Federal policies are involved.

DR. WANG. That would be very good.

CHAIRMAN FLEMMING. Let's transmit it to the Commissioner of Education, too.

VICE CHAIRMAN HORN. All right. Without objection that will be done.

Now, I was interested in the exchange, Mr. Thom, that you had with Chairman Flemming because I was going to pursue a somewhat similar exchange.

I did read your 13 resolutions and in your first one the resolved clause states that appropriate Federal-State-local educational agencies are to take positive action in achieving broad representation and input. That's the point you made and I agree, some things might follow from that.

The next one I was rather interested to see what's happended, though. It says the Office of Education, DHEW, would conduct an assessment of the educational services to Asian/Pacific Americans, to identify areas of blatant underservices and establish set-asides for APAs of at least 10 percent or more in these areas. Has that been done?

MR. THOM. No, that has not. These are—

CHAIRMAN FLEMMING. All right, this gets down to the basic question, which is, where is the implementation lacking here, is this an executive decision, is this just simply because you're one of many competing groups and there aren't enough funds to go around, is it executive will that's failing or what?

MR. THOM. Well—

CHAIRMAN FLEMMING. Who can decide to do that in other words?

MR. THOM. You have to remember these are resolutions from a group of organizations that are very pro-Asian/Pacific American, and these were things that were written, that were goals that hopefully could be implemented.

Set-asides are going to be a very difficult approach to implement, knowing the reality in Federal Government. I think there are some alternatives though. We have done somewhat of an assessment; we had the Assistant Secretary send out a memo requesting the service delivery level of educational programs to Asian/Pacific Americans. The program people were so confused they didn't know who were Asian/Pacific Americans. We received information mainly on the Pacific Islanders. There was no clear concept of what an

Asian/Pacific American is—Japanese, Filipino, Korean, etc. They need to take a multicultural/education class.

VICE CHAIRMAN HORN. That's why your office is there.

MR. THOM. This is one of the roles that we attempt to play. Now that we've been alerted to that—

VICE CHAIRMAN HORN. I can understand the set-aside concern but what I can't understand is why an assessment of educational services cannot be conducted? Seems to me that's something that a university or an association of various goups, school districts, etc., could submit a proposal to do something on a model basis in one or more communities, and we'd at least know what it is we're dealing with for future resource allocations.

Has anybody submitted proposals to carry that out?

MR. THOM. No, not that I know of, and I don't know of any research opportunity where they have looked at the kinds of services delivered to any particular ethnic group.

VICE CHAIRMAN HORN. Well, when I return home our Asian American studies department will be given that as a task.

Now, bilingual education—

CHAIRMAN FLEMMING. Before you say that, so far as set-asides are concerned, of course, particularly on research, it is possible for you and the other minority groups to get together and put up to the Commissioner in that particular education, the possibility of some set-asides for minority research. I assume that could be done within the existing law, couldn't it?

MR. THOM. Well, it's—I'd say I will pursue that. I'm not going to make any commitments at this point. It's difficult to say what the tenure is right now with the way money situations are.

VICE CHAIRMAN HORN. Then resolution two, of course, calls for increased funding that's understandable.

Are the funds appropriated by Congress for bilingual education categorized by minority group or is that one lump sum, to your knowledge?

MR. THOM. One lump sum.

VICE CHAIRMAN HORN. So the decision is really within the Office of Education as to where those allocations go?

MR. THOM. That's correct.

VICE CHAIRMAN HORN. And that's done generally on a project basis?

MR. THOM. On a competitive basis.

VICE CHAIRMAN HORN. Competitive basis and multicultural education; you're for it, I think that's self explanatory, and no problem with resolution three.

Then on resolution four—

Mr. Thom. The key problem with resolution three is that the ethnic heritage studies program, which has never been fully funded, has always lingered around. I think 1.5 million, in fact, had been possibly excluded from the administration's appropriations budget, so it's a very much in doubt program.

That is really the only multicultural education program, and it's intended to focus on this concern, and it's a concern that I've heard over and over again, but it's something that the administration and Congress has not deemed to be something that should be fully funded.

There's still a great need in that area and I think a great deal to learn about other ethnic groups throughout the United States.

Vice Chairman Horn. Well, I agree with you. Resolution four says Federal policies should be flexible, diverse for parents, community, so forth, I think that's clear.

Resolution five advocates the establishment of a Department of Education—that's moving through the House, it's passed the Senate. Equal access is in resolution six; you want again full Asian and Pacific American representation on advisory councils, task forces, grant reading panels, you tell me that's going along fairly successfully, I believe, from the nature of your earlier testimony, is that correct?

Mr. Thom. I'd say we're working on that, but I don't necessarily feel that we're making the kind of headway that should be made. Here again I feel—well, the Commissioner, is taking a very hard stand on reading panel not necessarily in the other areas.

Chairman Flemming. The reading panel, you say?

Mr. Thom. Yes.

Vice Chairman Horn. Which is the grant reading panel, the key if you're going to get an allocation of resources—

Mr. Thom. That's correct.

Vice Chairman Horn. As I understood it, you had 16 advisory committees within the Office of Education and then I remember your testimony, you said there were 40 percent representation of Asian and Pacific Americans on it—

Mr. Thom. No, what I meant to say is that Asian/Pacific Americans are represented on only 40 percent some 16 advisory councils or roughly 6 out of 16.

Vice Chairman Horn. I assume when terms are coming up on the others that very serious consideration will be given to fuller representation on perhaps all of the panels, is that correct assissment?

Mr. Thom. That is our hope.

Vice Chairman Horn. All right, and I take it you feel the leadership of the Office of Education is committed to that?

Mr. Thom. Let's say we work hard at it, but—

Vice Chairman Horn. I understand that ambiguous answer.

Mr. Thom. There's alot of politics all the way up.

Vice Chairman Horn. All right, and I don't want to put you on the spot and what I'm going to do at the end of this we'll put some other people on the spot.

But the resolution says that the Office of Education monitors required development of curricula resource material that reflects cultural diversity, actively portrays the history, contribution of these groups, eliminates race and sex role stereotyping which still adversely affects Asian and Pacific Americans.

Has the Office of Education funded various curricula development as well as textbook examination in terms of stereotyping for other racial groups?

Mr. Thom. In different projects the Office of Education has funded curriculum development for this type of thing, but not an actual textbook to my knowledge. Also, OE has entered into the EDGAR regulations [educational division grant regulations administration] to look particularly at OE grant products to eliminate possible stereotyping languages.

We have a clause in there that says that literature, books, etc. that is produced by the Office of Education will not have any of this kind of race or sex stereotyping language.

Vice Chairman Horn. As I recall Senator Hayakawa expressed his unhappiness with the Commission on Civil Rights when we did a study on stereotyping and discrimination in textbooks.

Multicultural special education, you want the national advisory counsel for special needs to include an Asian and Pacific American with knowledge of this problem, has that been done yet?

Mr. Thom. Nothing has been done that I know of. And I think it's fair to alert the community that we're looking at the dual problem of special education and a monolingual Asian and Pacific American that is in need of bilingual education so it's kind of a double problem.

Vice Chairman Horn. Resoultion nine, you're talking about—the Higher Education Act of '65 provides sufficient funding for programs to meet the needs of Asian and Pacific Americans in higher educational institutions. I take it again the allocation of resources is dependent upon the initiative of various potential grantees to suggest proposals to Education which can then be accepted or does Education initiate particular areas of inquiry and have they done it in this area?

Mr. Thom. Okay, the one thing I think that's of key concern here is the small amount of monies to provide sufficient coverage in terms of the diverse needs of minorities in general.

Also, the model minority and the stereotype of Asians as having no problems. I think the *Bakke* decision has had a very detrimental effect on Asians. I think we are looking at schools, changing their policies, and I think the question raised by the Justices' brief is having its effect. I think there's a tendency to say, well, let's write off Asians; Asian/Pacific Americans think that's an incorrect assumption based on stereotypes.

I think Ling-chi pointed out some of the differences, while I tried to point out the diversity of Asian/Pacific Americans in education attainment and background. I don't think we can lump them I think we have our ghettos, we have our problems. I think Asian/Pacific Americans have been locked out—somebody mentioned earlier the Small Business Administration's decision on the exclusion of Asian/Pacific Americans—and that pattern may continue.

I've looked at the hearing data for the Higher Education Act and in no place do I see anything that would support any program to Asian and Pacific Americans and I've seen testimony by Congress, testimony by a lot of the interest groups in this area, that will all allude to Hispanics, Native Americans, and blacks to the exclusion of Asian Americans.

CHAIRMAN FLEMMING. Well, the point Commissioner Horn was making on that particular recommendation, it is possible to—for the Office of Education to solicit proposals. That doesn't have to sit around and wait for a proposal, does it?

MR. THOM. No one at this point to my knowledge has taken the steps to solicit a proposal specifically for Asian/Pacific Americans in the area of counseling, etc.

CHAIRMAN FLEMMING. But it can be done, right?

VICE CHAIRMAN HORN. How about your office—

MR. THOM. I don't know—

VICE CHAIRMAN HORN. —is the advocacy office taking that position? Seems to me that's a logical thing for your office to be doing is to be producing every day the program people to say, "Look, here's an area where the Federal Government has funds to study, investigate, whatever, and why aren't you pursuing a line of inquiry?" And then try to get the program people to issue a request for proposal—which would encourage the institutions throughout the United States, if they have the resources intellectually, to come back with some response and some creative ideas.

MR. THOM. I have not taken that stance at this time; I've tended to notify Asian/Pacific Americans about proposals and urged that APAs serve as panelists to reader proposal. Inclusion of Asian/Pacific Americans provides someone who understands the problems and who can later give technical assistance to help others develop writing skills to be competitive. Until APAs can write competitive grants, we will tend to be bypassed in the normal grant solicitation process.

VICE CHAIRMAN HORN. Okay, resolution number one is resolved that counselors are trained and held accountable for appropriate stereotyping guidance to Asian/Pacific Americans. Any proposals, to your knowledge, coming into OE on that?

MR. THOM. No.

CHAIRMAN FLEMMING. There's another area seems to me where a request for a proposal ought to be issued by OE. Administrative leadership, number one. It's therefore resolved that division of education through affirmative action efforts work with APA communities to educate their employees, administrators, and boards of education as well as to actively encourage APA women for administrative positions.

I assume that pertains, well, I'm not clear what it means. Does it pertain to Federal employment or to public school employment—

MR. THOM. Public school—

VICE CHAIRMAN HORN. Funding to that in accordance with the Federal Government?

MR. THOM. There's a tendency for Asian/Pacific American men and women not to be elevated into the administrative type of position, and there is a need to sensitize and educate the administrators, board of directors, decisionmaking bodies that determine who is hired into administrative positions, and that there should be a move to actively encourage women to take those leadership stands. There no specific RFP for training counselors or administrators for ethnic understanding.

VICE CHAIRMAN HORN. Okay, resolution 12 urges the U.S. Office of Education to create a new research and development center whose sole purpose will be to focus its activities on APA concerns and issues. We might also wonder if the National Institute of Education should have a similar resolution put in its direction.

Do you have any feeling as to what's happened on this issue?

MR. THOM. That's exactly where that one will go.

VICE CHAIRMAN HORN. To NIE?

MR. THOM. Yes, to NIE. There is some research as a minipart of existing centers, but it's so watered down; it has such a low priority, they don't have any staffing that we think reflects NIE's research and development efforts on Asian and Pacific Americans.

VICE CHAIRMAN HORN. Now, resolution 13, the last resolution urges the National Asian and Pacific Education Alliance or rather Asian and Pacific Education Alliance urge either Federal legislation prohibiting the establishment of such voucher plans.

While I agree with you that the voucher plan would be a disaster, and we're probably going to be faced with it in California due to one of your colleagues, I believe, at the University of California, Berkeley, I think this is a political question. I doubt if Congress is going to intrude, despite resolutions, in what a State does, but I take it the tie-in there was to say, "Okay, folks, if you go for the voucher plan, you cut off Federal assistance as such."

Mr. Thom. Well, the concern there on the part of the alliance was to at least make a statement that they are for public education and they support it, and anything such as a voucher program which would have a detrimental effect on that, we stand against it.

Vice Chairman Horn. Well, I agree with you. I thank my colleagues for their indulgence and you for pursuing it.

What I would like to suggest is that these 13 resolutions be submitted to the Assistant Secretary of HEW for Education, Mary Berry, and that the Commission request a response to the resolve clauses just as to status of what action, if any, has occurred in these various areas, so that we might include it at this point in the record.

[Applause.]

Chairman Flemming. Without objection that will be done. Okay?

Dr. Wang. Commissioner, could I ask a question of the Commission or not?

Chairman Flemming. Sure, you can ask a question.

Dr. Wang. You know, I do not know how the Commission normally functions, but I couldn't help but wonder what is going to happen beyond these two days of consultation? Can you maybe enlighten us on that?

Chairman Flemming. What will happen is that the Commission will evaluate the testimony that it receives, identify the issues, and then decide how to follow through on those issues.

We sometimes we do it by issuing a monograph of some kind or a monograph including findings and recommendations; sometimes we may decide to go into a public hearing someplace, I mean where—a formal public hearing where we subpena witnesses and put people under oath and so on. There are various methods that we might pursue in order to followup on it.

We have made no decision as to what method will follow on this particular instance. And we won't make that decision until after we've gone through this experience.

Dr. Wang. I see. Because I certainly hope that there will be findings and recommendations. And that the report, if it is to come out, it will become the first report to be issued by the Commission on a nationwide Asian American problem, and I certainly hope such a report will be submitted to the Congress and appropriate Government agencies.

Chairman Flemming. Well, I'll give you a—I'll illustrate. We did—some persons who were here this morning anyhow participated in the consultation we had on battered women, and the work is now going forward on a monograph on that which will contain findings and recommendations.

That's an illustration of how we followup at times. Okay. We are in recess until 8:30 tomorrow morning.

May 9, 1979

Proceedings

Chairman Flemming. I'll ask the consultation to come to order. We're going to discuss this morning the—first of all, employment issues. I'll ask my colleague, Commissioner Freeman, to preside during this discussion and introduce the discussers.

Employment Issues

Commissioner Freeman. Good morning. I see that the panel is all in place. The first panelist who will speak on myths and realities is Amado Cabezas. Dr. Cabezas is the director of human services research at the Asian American Service Institute for Assistance to Neighborhoods in San Francisco.

Dr. Cabezas.

Presentation of Dr. Amado Cabezas, Director, Human Services Research, ASIAN, Inc., San Francisco, California

Dr. Cabezas. Thank you.

Good morning. The American Heritage Dictionary defines a myth as, "One of the fictions or attitudes forming part of the ideology of a society," for example, "the myth of Anglo Saxon superiority."

This morning I will focus on three myths about the socioeconomic success of Asian/Pacific Americans and will cite some of the scarce research that exists in this area.

I will then conclude with recommendations about affirmative action and minority programs on behalf of these Americans.

Myth number one: *"Asian/Pacific Americans are not discriminated against in employment; they hold good jobs and they are found in all sectors of industry."*

In a study funded by the United States Equal Employment Opportunity Commission, ASIAN, Incorporated, found discriminatory patterns in overall level of employment as well as in occupational distribution in industries in the private sector in the five-county, San Francisco-Oakland metropolitan area. The data base used was 1975 as well as 1970 EEO data as reported to the EEOC by employers themselves. The disparities were found to be statistically significant and therefore not likely due to random chance. The patterns, showing very little change over the 5-year period, are *prima facie* evidence of discrimination, based on present case law. Therefore, the evidence is sufficient to shift the burden of proof to the employers.

The ASIAN, Inc. study found Asian employment to be less than one-half of parity in 12 of the 17 major manufacturing industries in the area, such as food products, lumber, furniture, paper, printing, petroleum, rubber, and others. In the transportation, communication, and public utility industries, and in finance, insurance, and real estate, Asian/Pacific Americans predominantly are clerical workers; and in the service industries, Asian employment is high in hotels, restaurants, and health services, however, they are mostly food and cleaning service workers. In hospitals they are mostly nurses rather than physicians, and even in the ranks of nurses, discrimination apparently exists. Mrs. Norma Watson, a Filipino American nurse, denied employment after applying in eight private hospitals in San Francisco, recently filed an employment discrimination charge against the American Nurses Association—her union—and the San Francisco Affiliated Hospitals. The EEOC is now investigating the charge as a class action on behalf of others similarly affected.

Charges of discrimination have also been filed in the last 5 years by Asian/Pacific Americans against such employers as United Airlines, Pacific Telephone, Pacific Gas and Electric, and the San Francisco Police Department, among others.

Five metropolitan areas in the United States account for more than one-half of the Asian/Pacific population. These are the areas of Honolulu, San Francisco, Los Angeles, Chicago, and New York. The low occupational status of Asian/Pacific Americans in these areas can readily be seen from their large percentages among the low status, low-income occupations consisting of laborers, service workers, domestic workers, and farmworkers; and in these ranks, the percentages of the Asian workers is two to three times that of white workers, depending on the area.

In another study also sponsored by the EEOC, disparities in employment were found in the large ranks of workers in local, State, and Federal Government agencies in the same San Francisco Bay area. The data base was EEO–4 reports submitted by local and State governments. Some of the patterns uncovered that affect large classes of workers were: (a) low to fair level of employment as professionals but with statistically significant lower salaries compared with their white counterparts; (b) fair to high level of employment as clerical workers but again with lower salaries relative to their white counterparts; (c) very low level of employment as police officers in the cities, sheriffs in the counties, and patrol officers in the State; (d) low level of employment as fire fighters in the city fire departments, and (e) low level of employment in service and maintenance workers in the city public works departments.

In the Federal agencies, the study found, using data from the U.S. Civil Service Commission, that among the main ranks of professionals, there were very few Asians, these ranks being attorneys, investigators, inspectors, biologists, and economists. Exceptions are in the IRS agent ranks, the claims assistants in the Social Security Administration, and GSA.

Here in Washington, D.C., one perceives that there may well be large numbers of Asian Americans in the Federal Government; however, there is not one of these Americans in the policymaking, administrative, and directorship positions in any of the civil rights agencies such as the EEOC, the Office of Federal Contract Compliance, or the Commission itself. There is not an Asian/Pacific American in such a position in any of the minority programs of the Department of Labor, the Office of Minority Business Enterprises, the Small Business Administration, Department of Housing and Urban Development, nor the Office of Education, which is in charge of our Nation's operations in bilingual education. differentials/ethnicity distribution

Myth number two: *"Asian/Pacific Americans do well because they go to college and because of this their income exceeds even that of whites."*

The 1970 census data itself show this myth to be just that, and not reality. Our special tabulations for the five metropolitan areas where again Asians are concentrated reveal poor returns of income, even with increasing educational attainment. The income of Japanese, Chinese, and Filipino males with 4 or more years of college on the average was only 83 percent, 74 percent, and 52 percent, respectively, that of white males. For the Asian females, their income on the average was only about 44 to 54 percent that of white males. And these disparities also exist for those with lower educational attainment level.

Studies which try to take into account the earnings differentials as a result of education, labor market experience, United States citizenship, number of years in the United States, vocational training and so on, cannot account for these disparities. These studies have been conducted at the University of Florida and by Harold Wong at U.C. Berkeley.

Therefore, years of school, family income, and labor force participation rate when used independently of others are not valid socioeconomic indicators for these populations. Most Asian Americans are in the labor force and in most families there are nearly two workers, compared to 1.6 workers for white families. Their problems have more to do with low occupational status, discriminatory employment, and low per person income. Detailed occupational status rather than broad occupational status could be percent personal income and always given by specific metropolitan area would be much more relevant indicators.

And finally, the third myth: "*Asian/Pacific Americans are in business for themselves and in this they are very successful.*"

Probably the only data base that would permit an examination of this myth is the 1972 nationwide survey of minority-owned businesses conducted by the U.S. Bureau of the Census. The data reveals that Asian firms are mostly in retail trade and selective services, and that among these firms, more than one-half are without paid employees. Retail trade for Asians is mostly grocery stores and restaurants while selected services mostly are services such as laundries and bookkeeping services. Gross receipts per year were about $11,000 per annum for Chinese firms in selected services; $8,000 to $14,000 for Filipino American firms in retail trade; $9,000 to $12,00 for Japanese firms; and $6,000 to $12,000 for Korean firms in selected services. These are all annual receipts. The low level of gross receipts for these firms that account for most of Asian/Pacific American enterprises in this country cannot in any way represent business success.

Therefore, in view of the realities opposing these myths about the socioeconomic success of Asian/Pacific Americans, I propose the following: one, that the civil rights of Asian/Pacific American populations which include many who are socioeconomically disadvantaged, be protected; two, that they continue to be included in equal employment opportunity and affirmative action programs in both private and public sector employment; three, that Asian/Pacific Americans continue to be included in Federal programs that provide contract procurement and technical assistance to minority enterprises. In this regard, Federal regulations implementing the Addabbo bill should be amended to correct the exclusion of Asian and Pacific Americans from these Federal programs; four, that class action remedies be pursued by the Federal civil rights agencies such as the EEOC, the OFCCP, OCR of HEW, and the Commission itself on behalf of Asian/Pacific Americans, victimized by discriminatory patterns of employment. Such efforts should focus in the metropolitan areas of San Francisco, Los Angeles, Chicago, New York, and Honolulu where the impact would be the greatest; five, that Federal civil rights agencies and minority programs in the various departments of the executive branch reach out to place Asian and Pacific Americans in administrative, policymaking, and decisionmaking positions so as to help assure equitable participation of Asian and Pacific American populations in these programs; and finally, six, that the Asian and Pacific American populations be assured of their fair share in the budget allocations and distributions of resources of Federal agencies serving in the areas of employment, commerce, education, health, housing, and welfare.

Thank you very much.

COMMISSIONER FREEMAN. Thank you.

Our next panelist on myths and realities is Mr. Manoranjan Dutta. Mr. Dutta, a professor of economics at Rutgers University, has published widely on a broad range of economic issues including Asian American employment problems. Mr. Dutta is also a member of the 1980 census advisory committee for the Asian American population.

Mr. Dutta?

Presentation of Manoranjan Dutta, Professor of Economics, Rutgers University, New Brunswick, New Jersey

DR. DUTTA. Thank you.

Mr. Chairman, members of the Commission. My distinguished colleague referred to some kind of class action suit, and the first one I wish to submit, at the cost of losing 1 minute of my 10 minutes, on behalf of each and every member of the Asian/Pacific American community, my first civil rights violation suit presented to you is against the distinguished member of Congress from Maryland who celebrated the Asian/Pacific American Heritage Week by the heroic un-American statement when he said, referring to the Vietnamese refugees, "They don't belong here, they are not of our kind."

And he referred to the refugees from Soviet Russia, we want them, they're of our kind. I wish you would investigate it and assure the people of America that this Congressman has made an error of judgment.

[Applause.]

The first, most basic need is for the rest of America to perceive that Asian/Pacific American population is not insignificant in size. This becomes evident, if you look at the chart. I beg your pardon to have to take you through the jungle land of charts and tables which I have compiled.

First, who are they? Asian/Pacific Americans. That has not been fully appreciated by Washington. It includes people who immigrated here from any country from Afghanistan to the Pacific; where they drew the line in the 1917 Asian exclusion act of the Congress—why the Congress did that I do not know.

We accepted the five-fold classification OMB made recently: one, Natives of North America; two, immigrants from Europe—white; three, immigrants from Africa—black; four, immigrants from Central, South America—Hispanic; and five, immigrants from Asia and Pacific Islands—Asian/Pacific Americans.

This population is significantly large enough. If you look at the 1970 census, it projects that there were 2 million Asian and Pacific people out of the 1970 census of 200 million, roughly 1 percent.

I submit the myth persists that this is an insignificant population we need not worry about. The 1970 census figures require five-point adjustments and I discuss them in my written statement. Add to these adjusted numbers, the recent immigration from the Asian countries.

The next chart will show the pattern of how they are getting to be naturalized citizens of the country. So let every Congressman, including the one from Maryland, take note of this fact. They are going to vote in 1980, 1985.

The next chart shows the labor force participation rate of Asian/Pacific Americans in the American labor force. It also shows that there is 63.8 percent of the Japanese, Chinese, Filipino Americans participated in the labor force in 1970 tabulation. Indeed, there is a very high level labor force participation for this group.

If you give me permission to adjust for the serious undercount of this population, I say that the population base is somewhere around 3 million; the Asian/Pacific labor force is of 1.9 million.

The general consensus is that the Asian/Pacific American labor force constitutes somewhere between 1 million to 1.5 million. If the information on the Asian Americans has been as sketchy as that, the problem is much more acute with respect to the Pacific Islands. Next, one of the great myths in this country is that the Asian Americans have had no history of disadvantage. Blacks have a history—the grim history of slavery and lynching. The natives of North America lost the war and their existence becomes threatened. Hispanic Americans have a history of being exploited by low paid jobs, a history of being haunted as undocumented aliens.

The Asian Americans are perceived to have come to America the easy way. This is far from true. The truth is the 1917 Asian exclusion act and the closing of the gates to the immigrants from Afghanistan to Korea. They are the "forbidden" Americans.

We need not indulge in analyzing the relative intensities of disadvantages and discrimination due to slave labor, undocumented labor, defeated labor, and forbidden labor.

This myth must go.

There is a liberal myth, the brain drain; it is at best a slogan to reestablish the Ricardian theory of free mobility of goods but not of factors of production. The world as a whole would have been a poorer place to live if successive rounds of emigrations from Europe did never take place.

I submit immigration from Asia will be to the advantage to the world as a whole, including Asian countries.

Third myth, Asian Americans have it made. This chart will show that the median family incomes of three groups of Asian Americans—Chinese, Japanese, Filipinos, compare favorably with the national family income median. This is a very quick way of using statistics. No wonder one warned against little liars, big liars, and statisticians.

Many researches have pointed out the discrepancy between the lower personal income of Asian Americans and the higher family median income. Bobby Mariano has stated that Filipino and Chinese men are no better off than black men, with regard to median income, in SMSAs such as Los Angeles, San Francisco, New York, Chicago, Honolulu. I wish I had more time to elaborate this point.

I submit to the distinguished members that the fallacy of composition has been known very well to all of us, and if we fail to correct for the fallacy we'll not get the true result.

If we correct for school years of the immigrants, one study shows: (a) foreign scientists, this is the data National Science Foundation collected; immigrants from Asian countries make lower average earnings and (b) enjoy less rapid rate of career advancement.

That Asian Americans have suffered no disadvantage and that the 1970 census tabulations show their high family median income continue to lend strong support to the myth of Asian American success. I argue that on both counts the rest of America has erred.

Statistics have been presented that in 1969, 6.4 percent of Japanese American families were in poverty level compared to 8.6 percent of the white families. Does this provide us the Japanese Americans' economic profile?

One wonders if that could be considered again a misuse of statistics—so argues Mamoru Ishikawa.

Underemployment is another ground of discrimination or disadvantage for the Asian/Pacific Americans.

Yuan-li Wu, in a study, submits that as far back as the 1940 census, 21.3 percent of the Chinese Americans were managers and proprietors as opposed to 9.6 of all population. What does that mean? It means that many Chinese were small storekeepers and laundry owners; the real situation is one of failure and resignation and not one of mythical success.

What is the reality? The reality is that there exists a different and differentiated segment of the American labor market. It is not only language; indeed, immigrants from the Indian subcontinent countries are generally English speaking. They, too, are distinguishable from the rest.

It is a mix of many issues, a mix of language, ethnicity, religion, racial origin. The myth persists based on the lack of the part of the Asian/Pacific Americans of shared experience of Greco-Roman culture and Judeo-Christian religion. I want the distinguished members and distinguished audience to look at the two charts given us by the U.S. Bureau of the Census this fall. What is it telling us? Look at the large percentage of the error in their estimate of unemployment and poverty data for Asian/Pacific Americans. For the total population, error is as small as 1.1; for blacks, 2.2; for Hispanic people, 4.3; for the Asian/Pacific, the error is too large. Indeed, there is no information; the Census Bureau can give us no reliable information.

Now, if you look at the level of error. The information the Bureau can present to the best of their efforts demonstrates the level of disadvantage and discrimination under which Asian/Pacific American labor force is now working. As of November 9, the Census Bureau says that it is just beginning to implement research and make plans for a major redesign of the current population survey. It is anticipated that the redesign will be fully operational in early 1984. I submit that there is no way for Washington to give us any reliable information about the Asian/Pacific employment profile and the Bureau of the Census will have no information until late '80s.

For the recently arrived Asian American immigrants, they have an entry problem. They have no way of getting into the crowd; they have no access, and many end up by accepting odd jobs. Given that fact, we find that there is a cost. Their basic abilities, even when they're getting a job, is underutilized.

I will conclude by saying that discrimination comes three ways: (a) there is a general perception that the Asian/Pacific Americans constitute an insignificant group who have no history of disadvantage, and that myth must go; (b) they've jobs; their unemployment doesn't need to be taken into consideration; the jobs, they have are odd jobs which is an euphemism for underemployment; and (c) finally, there is no information whatsoever on which we can base scientific conclusions. Even if there is no disadvantage I will submit that that has to be established. What has been established so far is the confession that we have no information for this group which is growiing in size and whose labor force participation is 2 percent of the labor force of the Nation.

Thank you.

COMMISSIONER FREEMAN. Thank you, Mr. Dutta. Your entire paper will be included in the record, in the proceedings of this consultation.

Dr. Setsuko Matsunaga Nishi is a professor in the department of sociology at the Graduate Center at Brooklyn College of the City University of New York, and where she has worked since 1965. Dr. Nishi?

Presentation of Setsuko Matsunaga Nishi, Professor, Department of Sociology, Brooklyn College, and Graduate Center, City University of New York

DR. NISHI. Thank you very much.

I should like to note also that I am co-chair of the Asian American affairs subcommittee of the New York State Advisory Committee to the U.S. Commission on Civil Rights, because I shall be drawing some of the resources that were developed in 3 days of informal hearings conducted in 1974, and, last year, in an all-day conference concerning the development of an Asian American action agenda.

I shall be drawing information and testimony from these two resources in addition to several pieces of research that have been conducted under my supervision by graduate students at the City University of New York and a study which we conducted under contract with the New York State Division of Human Rights concerning the underutilization of the complaint services of that agency.

They will be more fully included in my paper, but I'd like to refer to them.

It is rather startling that I, too, had intended to state as a basic myth the matter of the insignificance of Asian/Pacific American peoples, as has Dr. Dutta. However, I should like to note in particular how it refers to New York, as a national city. In 1970 the population of Asian Americans was 1.3 percent; the New York City Planning Commission stated in 1975 that it was about 2.9 percent. Our very best calculation is that by next year, there will be between 4 percent and 5 percent.

It is not so much the numbers themselves, but the remarkable rate at which they are becoming good citizens in the sense that they are becoming naturalized and, furthermore, that they are becoming quickly politicized to function as a part of the New York citizenry.

Perhaps the myth that is most strategic to correct is what I sometimes label the Hitler myth: Pacific/Asian Americans are taking away job opportunities from blacks and Hispanics.

I think that there could be a long ideological discussion about this, but I think that we must firmly refuse to fall prey to "blaming the victim" myth and, furthermore, that we resist the considerable tendency in a complex multicultural society such as ours to be divided and thus conquered.

One recommendation that I would like to put forth strongly is that the U.S. Commission on Civil Rights take a leading role to allay the propensity on the part of minorities to blame each other for their disadvantages, that is, to declare clearly that such beliefs are not founded in fact.

Another kind of tendency for myth is overgeneralize the success of Pacific/Asian Americans as consequence of their high visibility in the professional, technical, and managerial occupations.

The striking fact is that almost two-thirds of the Asian immigrant workers bring to this country a very high level of occupational experience as professionals, technicians, managers, and administrators. With such qualifications, do they enter the economy at a commensurately higher rung than the earlier historic waves of unskilled European and Asian immigrants and climb on up the merit ladder?

The answer is complex, of course, but it's mainly negative. There is the common assumption that in professional, technical, and managerial levels of employment, that merit criteria function without the contamination of bias. I think this is something that needs to be carefully examined, for discrimination on this level is highly institutionalized.

Another kind of difficulty with regard to their involvement in the professional, technical occupations is that there is little systematic understanding and very few measures that have been developed and publicized regarding the discriminatory effects of underemployment.

Furthermore, in the professional, technical, and managerial occupations in complex bureaucratic systems of employment, there is modern racism—the subtle, sophisticated, systemic patterns and practices which may have no indication of maleviolent intent, nonetheless, function to effect and to obscure the discriminatory outcomes.

Thus, a second recommendation I would make is that the Equal Employment Opportunity Commission be urged to make studies of systemic discrimination in those occupational realms in which Asian Americans are highly concentrated, for example, in the health industry.

Another kind of consideration is a myth, unfortunately, which many Asian Americans themselves maintain. On the basis of their own perceptions and interpretations of their own experience, many will deny that they have confronted discrimination personally.

In the study that we did for the New York State Division of Human Rights, we interviewed 100 "influentials" and asked whether they themselves personally had confronted employment discrimination and whether they knew of others who had. The startling finding was that the majority denied that they themselves had confronted discrimination.

No doubt there are certain social psychological factors involved in the tendency to deny being discriminated against, because it is damaging to one's ego. And it is very difficult not to take discrimination personally. And thus there is something of a psychological tendency to deny experiencing discrimination or to reinterpret events as if they were not discriminatory.

However, we have some extremely persuasive evidence to indicate that some of the most crucial discrimination for Asian Americans occurs invisibly to them. In what may be called the foot-in-the-door stage of career, we have some recent research evidence of this process. In a very imaginatively designed experiment, Lirio Covey, a graduate student in psychology at the City University of New York, sent pairs of constructed resumes, which were tested for equivalence, to potential employers. One of the pair was identified as being of Filipino background and the other identified as white.

We have statistically significant results to indicate that Filipinos suffer serious discrimination. Whites received invitations for interviews five times more often than Filipinos. They are excluded in this crucial phase at a rate that favors whites by 80 percent! The research design, I think, is foolproof in terms of the resumes' equivalence; and the evidence, though the sample is not large, is statistically significant and holds up very well.

The difficulty of studying and documenting modern racism presents an extremely challenging situation. And I should like to point out that on the higher levels of employment, and in more sophisticated bureaucratic settings for employment, blatant racism is now virtually gone. Commissions on civil rights now must develop the capabilities to identify, to document, and to deal with systemic, highly patterned discrimination, which may or may not be with intent.

Frequently, language is said to be a disability with regard to employment. The performance relevance of the level of language skill required is something that should be tested. That's another recommendation I have.

Another suggestion is that the stereotyped images that underlie personnel decisions and attitudes of those who perceive Pacific American peoples as competitors should be thoroughly examined and dealt with.

Thank you very much.

COMMISSIONER FREEMAN. Thank you.

Mr. Joseph Chung has been a professor of economics at Illinois Institute of Technology since 1973. He's our final panelist on myths and realities.

Mr. Chung?

Presentation of Joseph Chung, Professor of Economics, Illinois Institute of Technology, Chicago, Illinois

DR. CHUNG. The general topic concerning the underemployment problems of Asian/Pacific Americans is well known and has been discussed by all three previous speakers in this panel.

I'd like to dwell on one small area in which underemployment of Asian/Pacific Americans is widespread. It exists in small business. Now, there is a myth concerning the success of Asian Americans in business. This was briefly touched upon by Amado Cabezas, too. I'd like to dwell on that issue solely.

I was disturbed to read in the mass media a year or two ago about the success stories of Korean business, particularly in the Los Angeles area. This was featured in such national magazines as *Newsweek* and *Business Week* . I also saw some programs on television extolling the success of Korean business and showing pictures of storefronts on Olympic Boulevard in L.A. The implied conclusion was that here is a group of new immigrants who have achieved success in business and that there is something here for other new immigrants to learn, particularly the Vietnamese refugees. Here's the model of success they should follow.

I would like to point out that the so-called success of Korean or Asian/Pacific American business enterprises is only a myth founded on misunderstanding. I'd like to submit that instead of being a symbol of success by new immigrants, the preponderance of Asian businesses, on the contrary, represents symptoms of the underlying problems they face such as disguised unemployment or underemployment and a form of cheap labor.

I think that any remedies for the employment problems of Asian Americans must start from changing the imagery concerning the "success" of Asian/Pacific people in this country.

If we look at, first of all, the kind of background that Asian/Pacific Americans have, particularly people who go into business, we see that they are a very highly educated group. The 1970 census figures shows this and subsequent surveys confirmed it. For instance, a survey of Korean retail businessmen in 1975, involving Chicago, Honolulu, Los Angeles, San Francisco Bay area showed that about 72 percent of them had a college education from Korea. Now, this is an astoundingly high rate if you compare it to the rate of college education for the general public in the U.S.

Also, if you study their background—their preimmigration background—you will see a very high percentage; upward of 60 percent or even 70 percent in some surveys had a professional/managerial background before they immigrated to the U.S. It is important to reiterate that the very high proportion of Asians enter small business received college education relative to the general population in the U.S. and that most of them held professional/managerial positions before they came here.

Yet they are engaged in small businesses in the U.S.

Among the Asian/Pacific Americans, the rate of small business is very high. According to the recent Lee Wagatsuma study of Los Angeles in 1978, about 45 percent of Koreans in the labor force were self-employed.

Now, this is an astoundingly high ratio of self-employment which I submit points to systems of fundamental problems that they face. Also, within the business, the scale of which is very small, and I don't want to bother you or bore you with all the statistics, there is an overrepresentation of retail business. In Ivan Light's study of Korean-named storefronts in Los Angeles, overrepresentation of retail trade among Korean business is something like nearly 200 percent.

What that means is this: If the ratio is 100 percent, that means the percentage of Korean business in retail is equal to the general population in L.A. So the fact is that Koreans have developed twice more retail stores in proportion to their number as have other Los Angeles residents.

What I have established so far is that there is a very high rate of self-employment among Asians and that their businesses are very small and mostly confined to retail business.

From this I am inferring that small business among Asian Americans is a source of underemployment and a source of cheap labor. Why? Why do they go into small business as compared to all other employment opportunities, particularly if one considers their high educational background and high professional qualifications? I can list many factors here but they mainly center around the difficulties faced by Asian Americans in getting jobs commensurate with their qualifications due to, perhaps, the language barrier, job discrimination which has been mentioned already, and refusal by local accreditation agencies to recognize their indigenous educational background and professional training.

Perhaps it makes economic sense that they go into family business. Immigrant families have very low opportunity cost of their labor because they can't get any other jobs. Many have big families and, as a result, they can take advantage ot unpaid workers among the family members. And for some it is a way to avoid factory and other undesirable work.

Thus, people go into small business because other opportunities are blocked for them and this results in a form of cheap labor for the economy as a whole.

As you know, people who are engaged in small business work long hours, from 6:00 to midnight and under poor working conditions. Often their profit margin is very low, their family members frequently work for nothing or at very low wages.

Since I don't have much time, I'd like to conclude by emphasizing that we somehow have to cope with the myth concerning Asian business success and get the real story out that the so-called success in business simply represents symptoms of the deepseated employment problems that Asian Americans face in the U.S.

COMMISSIONER FREEMAN. Thank you very much.

Commissioner Horn?

VICE CHAIRMAN HORN. No questions.

Discussion

COMMISSIONER FREEMAN. Mr. Saltzman?

COMMISSIONER SALTZMAN. Mr. Cabezas, could you explain—whether there is an explanation, if there is—that is, what do you think lead to or accounts for the myth of Asian American success?

DR. CABEZAS. There are several reasons for this. One is that from a political point of view I think there is the phenomenon in which certain minority groups are placed at a certain position and compared with others in order to show that certain groups can make it and therefore why can't the others?

From a research point of view, the problem has to do with methodology and in terms of how data are aggregated. For example, if one were to take nationwide aggregations of data and compare the income of Asian Pacific Americans with whites, one would come up with erroneous conclusions about higher income levels for Asian; but if one aggregates the data by metropolitan area and compares the income and occupational attainment of these populations area by area, then one would not conclude that their socioeconomic status is high.

Also, there are faulty socioeconomic indicators. Family income is a poor one because, as I mentioned, many Asian families have about two workers as compared with 1.6 for white families; per person or per capita income thus would be a much better indication.

The use of years of schooling as a social indicator is a poor one because it connotes success whereas data show the returns of education for Asian/Pacific Americans to be quite low.

And as pointed out by Professor Dutta, usually no information is available, or where information is available, it's very difficult to gain access to the data bases which would allow clear and unbiased analyses of these kinds of problems.

It's very difficult, for example, to get special tabulations of census tapes from the Bureau of the Census.

Commissioner Saltzman. Thank you.

Dr. Nishi, why do minorities tend to blame one another for their relative plight with regard to economic situations?

Dr. Nishi. The tendency for occupational segregation by race/ethnicity, I think, is a phenomenon which is well documented in the United States.

In the case of Asian/Pacific peoples, this is reinforced, because such a very large proportion has come since 1965 under an immigration law which has provided preference for those fulfilling only certain occupational qualifications where there are shortages as certified by the Department of Labor. This has encouraged concentration at a level of educational and occupational preparedness which, incidentally is not a consequence primarily of their educational advantage in the United States, but because of their background preparation. They enter into the system at a level which is higher than that of the large waves of historic immigration to the United States. They come in later to the system, but they enter in a higher position.

Thus, if you look at a large hospital in New York City, those who occupy the custodial and service positions are likely to be black and Hispanic. The technicians, doctors, and nurses are highly visible, in large proportion, of Asian background. The administrators are quite generally white. There are, of course, a sprinkling of blacks who are in those higher positions.

So, it is largely a matter of historic circumstances, of time of entry, and the circumstances of why the 1965 immigration law was designed the way it was. Thus, though they confront considerable discrimination at those professional levels, it's a kind of discrimination that's difficult to document. But from the point of view of the Hispanic and the black, it certainly looks as if they, being on a next higher level, are obstructing the movement, the upward mobility, of those who are in lower categories of employment.

So we have that tendency for minorities to blame each other. After all, discriminatory patterns are highly complex. The person who is victimized by such a system is not able to deal with the complexity of the system. Consequently, the visible appearance of competitors really invites scapegoating.

I know that the classic studies of scapegoating in the United States have been done by the Jewish defense agencies, with which I have done some work. And the same kind of principles underlie scapegoating, be it in Hitler's Germany or American historical racism or post-1965 attitudes towards new groups.

Commissioner Freeman. Mr. Chairman?

Chairman Flemming. No.

Commissioner Freeman. Thank you very much.

The problem we have is that this is such interesting and valuable material that we all have to receive it within the time.

Dr. Nishi. I with to transmit some material pertaining to a class action suit regarding Filipino nurses, and I'd like to present this to you.

Commissioner Freeman. All of that material will be welcome and will be received now and any documents which you have, the staff will take them and they will be included in the report.

Dr. Nishi. Thank you. This is a document prepared by the Asian Americans for Fair Media.

Commissioner Freeman. Thank you very much.

We will ask the members of the next panel to come forward, please, take your seats.

This subject will be employment issues strategies.

Our first panelist, Henry Der, executive director, Chinese for Affirmative Action. Mr. Der?

Presentation of Henry Der, Executive Director, Chinese for Affirmative Action, San Francisco, California

Mr. Der. Good morning, Commissioners.

Founded in 1969, Chinese for Affirmative Action is a San Francisco-based, nonprofit, voluntary membership organization dedicated to defend the civil rights of and to promote equal employment opportunities for Chinese Americans.

Over 1,300 dues paying members support the civil rights activities of Chinese for Affirmative Action. Annually, Chinese for Affirmative Action assists over 125 individuals of Chinese ancestry who feel that they have been a victim of racially discriminatory employment practices or victims of police harassment.

Our clients range from blue-collar workers such as custodians, hotel maids, telephone installers, to professionals, civil servants, engineers, economists. Let me cite a specific example of how Chinese for Affirmative Action assists.

Mr. Eddy Chan, an assembler, was terminated by Morrison Imports. Mr. Chan was paid for less work and was given less days off than non-Chinese workers. When Mr. Chan first filed for unemployment benefits his claim was denied by the local unemployment office of the State department employment development department.

On appeal to the State unemployment appeals board in Sacramento, Chinese for Affirmative Action argued that Mr. Chan was a victim of racially discriminatory treatment. The State unemployment appeals board affirmed Mr. Chan's claim of racial discrimination and granted him unemployment benefits.

Concurrently, Chinese for Affirmative Action helped Mr. Chan to file complaint with the State fair employment practices commission.

The FEPC commissioner confirmed that Mr. Chan was indeed paid less for equal work and was given less days off. The investigator convincingly persuaded the respondent Morrison Company to settle with a cash award for Mr. Chan instead of hiring an attorney to fight the complaint.

For every successful case like Mr. Chan's, there are many more complaints that are not adequately resolved at the employer or FEPC or EEOC level.

While certain persons may argue that some of our clients may not have good Title VII employment discrimination cases, the outcome of complaints filed by Chinese and Asian Americans is largely dependent on how aggressively FEPC or the EEOC wants to pursue these complaints. Chinese Americans are victims of neglect by Federal agencies empowered to enforce this country's civil rights laws and affirmative action regulations.

The Civil Rights Act of 1964, as amended, is a good Federal law. The Voting Rights Act of 1965, as amended, in 1975, with a bilingual election provision, is a good Federal law. The civil rights needs of Chinese Americans are basic. We need and deserve better and more vigorous enforcement of these and other Federal laws.

A very cursory review of the work force of the San Francisco district office of EEOC and the regional office of HEW's Office for Civil Rights, indicates that these two agencies are barely meeting affirmative action goals of employing Asian Americans. Consequently, to the best of my knowledge, neither of these two offices has ever taken any substantive initiative to remedy systemic discriminatory employment practices afflicting members of the Asian American community.

During a recent hiring initiative with HEW/OCR, Chinese for Affirmative Action literally had to convene a meeting with the director of HEW/OCR, the principal officer of Region IX, HEW, and a personnel officer of HEW to track and monitor the status of Asian American applicants for the position of equal opportunity specialist.

One Chinese attorney, for example, who had previous experience with a Bay area legal aid firm, was initially rejected entry on this EOS list. He then took it upon himself to enter HEW as a lowly paid clerk-secretary so that he could get his foot into the door.

Eventually, on a second application, he was deemed qualified for the EOS list and then got promoted to an EOS, GS-7.

There is absolutely no reason for this kind of treatment of Chinese Americans by a Federal agency that has a mandate to enforce the civil rights laws of our country.

We firmly believe that those who get served are by and large determined by those who do the serving. Chinese for Affirmative

Action is convinced that the protection of the civil rights of Chinese Americans is dependent on several ingredients. One, vigorous and vigilant enforcement of civil rights and affirmative action laws by appropriate Federal agencies. Two, substantial community interest and support for civil rights activities. Three, coalition efforts with other ethnic minority and women's groups. Four, persistency by civil rights groups to implement and monitor, wherever possible, court decisions, consent decrees, other judgments and agreements affecting employment opportunities for minorities.

Let me very briefly cite five examples of certain cases and actions undertaken by Chinese for Affirmative Action to defend the civil rights of Chinese Americans.

Example number one, Chinese for Affirmative Action versus the San Francisco Police Department. In 1975 Chinese for Affirmative Action filed a Title VI complaint with the U.S. Department of Justice and the Law Enforcement Assistance Administration against the San Francisco Police Department alleging that the lack of bilingual police services constitutes racial discrimination against Chinese Americans, particularly those who do not speak English.

LEAA investigators conducted an onsite investigation and interviewed both the San Francisco Civil Service Commission and the San Francisco Police Department. LEAA never issued its findings.

In March 1977, 2 years later, CAA refiled its Title VI complaint with LEAA under the newly elected presidential administration.

A LEAA investigator came out again to San Francisco to examine the problem. Per our allegation, his investigation revealed that during anytime of the day on any given day of the week, no police officer assigned to Chinatown or the Richmond district could communicate effectively with the non-English-speaking Chinese population.

Further, Chinese speaking residents experienced sometimes delays of several hours before receiving appropriate help from the police department. The San Francisco department and LEAA eventually signed a resolution agreement on December 21, 1977, wherein the police department agreed to take specific steps to improve police services to the Chinese-speaking community.

LEAA hailed this resolution agreement for setting a national precedent in meeting the needs of a language minority group.

Example number two. As a coplaintiff in Officers for Justice versus the San Francisco Civil Service Commission, Chinese for Affirmative Action joined with Officers for Justice, League of the United Latin American Citizens, San Francisco NOW, NAACP, and 36 individual police officers to file a Title VII Federal lawsuit against the San

Francisco Civil Service Commission and the police department for discriminatory hiring and promotional practices.

When this suit was first filed in 1973, no more than five Chinese police officers were members of the 1,900-strong police force, accounting for less than 1 percent of all patrol officers. Based on preliminary arguments presented to him, the Federal judge struck down the 5 feet, 8 inches requirement which had an adverse impact against Asians, Hispanics, and women. The city was also ordered to administer a job-related entrance examination and to hire 60 female officers immediately.

After 6 years of litigation, earlier this year all parties concerned agreed to a consent decree which, among several major provisions, calls for a 50 percent hiring goal of minorities at the entry level and a total of 29 Chinese bilingual officers to be hired by 1984 in addition to those who are presently on the force.

Example number three. Chinese for Affirmative Action versus Kaiser Hospital. In 1975 Chinese for Affirmative Action filed a Title VI complaint against Kaiser Hospital, a prepaid health plan, with Region IX HEW's Office for Civil Rights for lack of adequate bilingual help personnel. HEW/OCR sat on this complaint for a couple of years without knowing what to do with it. Then HEW/OCR forwarded this complaint to its headquarters here in Washington, D.C., for further agency review. It took a total of 4 years for HEW/OCR to develop an appropriate investigatory plan. Investigation is currently underway.

The other two examples I was going to mention—the fourth example was Chinese for Affirmative Action versus KCBS and the FCC wherein we filed a petition to deny the license renewal application of KCBS-AM, the largest all-news radio station in northern California. The case went all the way to the Washington, D.C., Circuit Court of Appeals.

And the fifth case I would like to mention is in the area of voting rights. Last year, based on complaints filed with the United States Attorney's Office in San Francisco, the U.S. Government filed a lawsuit against the San Francisco Registrar of Voters for noncompliance with the 1975 amendments to the Voting Rights Act.

Pursuant to that particular lawsuit, the Federal judge issued an order. There was a Federal examiner that was assigned to San Francisco to monitor the November 1978 general election. A total of 120 Chinese and Spanish precincts were monitored during the November 1978 general election.

Thank you.

COMMISSIONER FREEMAN. Thank you, Mr. Der.

Our next panelist is Abraham T. Shen, director, Chinatown Planning Council, Asian American Employment Center.

Mr. Shen.

Presentation of Abraham T. Shen, Director, Chinatown Planning Council, New York City

MR. SHEN. Good morning, Commissioners, ladies and gentlemen. It is indeed a great honor and pleasure to be invited to this consultation as Asian and Pacific Americans all across the land are now celebrating our first heritage week, a long overdue recognition of our contributions to this country. It is most fitting that the U.S. Commission on Civil Rights should sponsor this hearing to examine carefully some of the major civil rights issues of the Asian/Pacific Americans, thus giving a greater meaning to this historical occasion.

As the title of this consultation clearly implies, American society still holds many serious misconceptions with regards to Asian and Pacific Americans. These myths, if not exposed and gradually destroyed, can have detrimental effects upon the future growth and development of our community.

From the panelists during the last 2 days of hearings, the myths that characterize Asian Americans as being a "model minority" seems to be a most dangerous one confronting us today. Undoubtedly, Asian Americans have made significant contributions in America's industry, arts, commerce, and science. Some Asian Americans have become leaders in many of these fields. However, the success story, Asian American style, is not applicable to the great majority of Asians in this country.

Even during periods of general economic prosperity, when work and employment opportunities are plentiful, newly arrived Asian immigrants, because of cultural differences, language barriers, the so-called lack of local experience, and the existence of systemic restrictions and institutional racism, still find it hard to secure meaningful jobs.

They are often forced by circumstances to accept employment in some of the declining industries, such as food-related and garment industries within the confines of their own ethnic neighborhood. Others may choose to go into small businesses, often against enormous financial risk, by opening up a grocery or souvenir stores. These jobs generally do not match up to the level of training and capability of the new immigrants. They almost always fall far short of their aspirations and hopes.

Moreover, these jobs tend to make the newly arrived immigrants work for unusually long hours with very low pay and often under extremely poor conditions. In times of economic recession, when the national unemployment rate rises above 6 percent or 7 percent, with the rate in cities much higher, newly arrived Asian immigrants face even greater hardship and frustration in their search for employment opportunities.

For the native-born Asian Americans, underemployment as well as heavy concentration in a limited number of fields and occupations are continuing problems that have already been raised by quite a number of panelists in the last 2 days of consultation here. Further analysis or elaboration of these problems will probably not shed any new light upon what is already evident to us.

The continuing influx of Asian immigrants into this country, especially the anticipated admission of a large number of Indochinese refugees, within the next 2 years, will definitely generate an enormous demand for employment-related services.

Community organizations must plan now to institute innovative programs in order to meet the new challenge. This means more English language classes for the foreign born, job referral programs to get Asian Americans into nontraditional occupations, job training programs to prepare those with outmoded skills to go into other lines of work, and career workshops for professionals and skilled technicians.

At this juncture, allow me to share with you briefly what the Chinatown Planning Council, a community-based, nonprofit, multisocial services, educational, and planning organization in New York City, has done over the years in trying to meet some of employment needs of the Chinese and other Asian American people in New York City. This, I hope, will demonstrate to some extent as to how employment strategies can find concrete expression in social services delivery system.

Deeply concerned with the tremendous underutilization of human resources as well as the problems and difficulties newly arrived Asian immigrants must face in their daily struggle for an honest living, Chinatown Planning Council, from its inception some 14 years ago has regarded manpower placement service an integral part of its multisocial services program.

During our first 10 years of operation, an employment specialist was assigned permanently to the council's multisocial service division to interview, counsel, and refer prospective job applicants for employment, both within and without the community.

In the early '70s the council was also able to obtain some government fundings to establish an English as a second language program. Over a 2-year period, several hundred newly arrived immigrants were benefited by the English language training.

Despite its excellent design and effectiveness, the ESL program was folded because of a drastic budget cut in the government funding source. The people in the community still talk about that wonderful program, and frequently ask us when they could have the program back again.

In 1975, when the employment rate in New York City reached its peak to almost 12 percent, Chinatown Planning Council was able to establish its first manpower training program with CETA funds.

The program trains 120 typists each year and has been successful in consistently placing approximately 85 percent of its graduates in office personnel positions.

The council's first manpower training program has proven to be such a success that by 1978 it was expanded into several other areas. First, an Asian American Employment Center was established with a multilingual and multicultural staff speaking four Asian languages: Chinese, Japanese, Korean, and Vietnamese.

The center is committed to serve the employment needs of all Asian American communities in the greater New York metropolitan areas. In 1978 vocational training programs were also established for youth between the ages of 16 and 21 from economically disadvantaged families.

Moreover, manpower training were also founded in food service management and the patternmakers and designers fields.

What I have presented thus far must not be construed as an attempt to impress you of what Chinatown Planning Council has accomplished in the area of manpower and employment services. On the contrary, despite our efforts, we are far from meeting the enormous needs of the community.

We feel strongly that the government should build upon the capacity of the existing community organizations, and make available to them more resources so as to enable them to continuously provide the most vital services to the Asian/Pacific American People.

It is incumbent upon the government to expand some of the successful programs to help meet the growing demand for employment services which are certain to be even more critical with the anticipated influx of new Asian immigrants.

Just one last comment. While focusing on the service delivery aspect of overcoming the employment problem, I do not mean to minimize in any way the importance of alternative strategies, such as advocacy, litigation, economic development, research, and even protest action. All these approaches are necessary if Asian Americans are going to make real progress in the years ahead.

There are many battles on many fronts, at many different levels, and at many locales. Victory in any one area will contribute to our overall advances. So we must, as Asian Americans, always try to keep abreast of what our fellow Asians are doing, learning from one another, and sharing our experiences. Only when advocacy and services are joined together will Asian Americans be able to move forward in their strugges for greater freedom and equality.

Thank you.

COMMISSIONER FREEMAN. Thank you.

Dr. Anthony Kahng, associate professor of industrial relations, New Jersey Institute of Technology, is our next panelist.

Presentation of Dr. Anthony Kahng, Associate Professor of Industrial Relations, New Jersey Institute of Technology, Newark, New Jersey

DR. KAHNG. Thank you.

I'd like to address my recommendation to the Commission. First, I'd like to make two specific recommendations to the Commission in terms of employment discrimination. professionals/questionable contract terms .

First, there are many nursing home practices in the New Jersey-New York area. This has not been publicized yet— quietly many Filipino nurses have been imported at the cheapest indentured slaves system. They are afraid of publicity and I strongly urge you to hold a public hearing on this issue: nursing home practices in the Greater New York area, and I will be very happy to substantiate with statements and a copy of a contract in terms of what is going on, and in Illinois I understand this is also going on—in Illinois.

COMMISSIONER FREEMAN. Illinois and New Jersey are the States that you mentioned?

DR. KAHNG. Yes. I have more evidence, letters and contract, and I shall submit these to you.

COMMISSIONER FREEMAN. They will be received.

DR. KAHNG. Yes. And also I will volunteer to be an intermediary and conduct research and collection of information on behalf of the Commission for free. I'm offering free service.

Another point I wish strongly, before I forget, to recommend is that Filipino nurses have been discriminated. The question is a licensure problem. Nine out of 10 Filipino nurses who take licensure exams are failing. And this—call it a monumental evidence of institutional racism or institutional discrimination. Something is wrong.

Either Filipino nurses are as a whole—I mean they're entirely disqualified, or something is wrong with the examination process. This I also ask the Commission to investigate; conduct an open hearing as you did conduct a study on Korean and Filipino graduates of school of pharmacy in Los Angeles area several years ago.

These are two of my recommendations to you.

Now I'd like to turn internally to Asian American communities. In a capitalistic society like America, what you do is what you are. In this type of society, if you are denied employment, that is a capital punishment; you are dead at the doorstep.

The suffering is enormous. And I am specifically interested in outlining some of the cases I have been handling. For example, employment discrimination is also prevalent among Asian American professionals. Let me give you a few examples. A Korean American professor received a termination notice on the ground that he has a strong accent, but the chairman doesn't mind a European accent. Yes, he welcomes, European accent but he objects to an Asian accent.

Now this is discrimination on the basis of national origin. And also a Filipino M.D., who works for a pharmaceutical corporation in New Jersey, was also abruptly terminated but—his employment record—he has a brilliant employment record. Why? Suddenly his supervisor, his boss has been changed, a new boss came with racial prejudice; from time to time in a friendly remarks he was referring to Asians as "gooks." Obviously, the boss was referring to the other Asians but not to this doctor. Even in a highly professional circle, some professionals are still carrying on such racist attitudes.

And also another Chinese women psychiatrist, who was a director of a psychiatric institute, was abruptly dismissed without a due process hearing, in spite of a brilliant employment record. And also another Chinese veterinarian was dismissed from a pharmaceutical corporation because of his nonassertiveness. This is the reason why, in terms of pursuing our civil rights, I'd like to suggest a model, which was developed by Asian Law Caucus in Oakland, California.

In this case, I'm suggesting a model for Asian Americans, United Filipinos for Equal Employment versus California Blue Shield. Now a Filipino American sister, Purisima Salazar, brought a Title VII action against California Blue Shield. In this successful class action, the result first was that the Blue Shield will pay to the—the sum of $9,886 and also attorney's fee, $15,000. Also, Blue Shield will establish a fund of $50,000 for back pay for Asian employees who make claims for back pay. Blue Shield will modify the corporate management human relations training to include special material on Asian Americans and other minority employees.

Blue Shield will establish an English or delivery training program for minority employees. Blue Shield will establish goals and timetables for the representation of Asian Americans at all levels of management.

Blue Shield will initiate a presupervisory development program in order to develop a pool of trainees in managerial potential.

With your investigation and open hearing, we can litigate and use your documentation as an evidence to substantiate what is going on. It's very valuable, we're not just documenting for the sake of documenting, we can use it and submit to the court, and I'm strongly suggesting that the only effective way as a minority of minority to pursue equal opportunity is to litigate.

But there is a very profound cultural and psychological tradition of nonlitigation attitude among Asians. Many commentators already referred to this point by saying that a cultural linguistic difference became the major psychological stumbling block. These Asians brought a culture that honorable and mature people don't take their disputes to the court; only immature bastards take the case to the court.

This is a very strong part of Asian legal culture.

For this reason Asians must litigate by suing CBS, NBC. At the Japanese American Citizens League convention I made a strong point. Then from the audience, a Japanese American stood up and strongly objected by saying that we don't sue, we don't go to court. So I said, "If you don't go, you don't get anything." I am saying that we have to because we have no choice.

The national sports next to baseball and football in America is suing; everybody's suing everybody. And in order to get somewhere, we have to stand up and go to court.

Thank you.

[Applause.]

COMMISSIONER FREEMAN. Thank you. Mr. William Leong is executive director of the Chinese Economic Development Council. Mr. Leong.

Presentation of William Leong, Executive Director, Chinese Economic Development Council, Boston, Massachusetts

MR. LEONG. Thank you very much.

The Chinese Economic Development Council was founded in 1974 as a technical assistance organization to assist the business development activities in the Chinese community. It was originally funded by the Economic Development Administration. Today we have the distinction of being the first Asian community development corporation in the country, funded by the Community Services Administration, the Office of Economic Development.

The reason I mention the funding source is because as a CDC we have some unique attributes. We have a significant amount of administrative monies to hire a staff whose salary levels the funding source believes should be comparable to that in the business world. They also give us a consulting budget and, most importantly, they give us venture capital.

The venture capital they provide to CEDC we do not have to pay back. It is the only government program which gives us free equity venture capital. In addition to the nature of the free venture capital, in the legislation it is provided that this venture capital is to be considered private capital when used to leverage other Federal dollars. That means we can go to EDA, UDAG, or HUD and use these venture capital dollars as a match.

This is the first Asian program, of which there are 37 others that are either Chicano, black, or white, and we have the opportunity to experiment here. The government has seen fit to try Boston out where it has the influence of the universities and a Chinese community large enough to have the problems that are exhibited in New York and San Francisco, yet small enough to be understood.

The strategies for the uses of these funds is to increase employment and address the underemployment needs in the Asian community in Boston.

We have a board of directors that is a community board, but this community board is uniquely set up where our target group is Chinese Americans. However, we have a special impact area which is a geographic boundary within the Chinatown area of Boston.

We have a board of directors which is made up of five categories. The first two categories are six organizations which elect their own representative. We have another category which represents the affairs committees or the social concerns of the community in areas as health, education, social services, community affairs, etc.

We have another category of the labor and employment sector of the board where people who want to join, can just walk in off the streets. But the interesting part of this board is the final category, our development committee chairmen, where the board of directors on the recommendation of the executive director select some of the most talented people in the Boston area in their fields of business and housing development.

It is these people that the board of directors also gets some expertise on the board. So the strategy on the board level is to combine the urban and the suburban, the restaurant worker and the professional, the northerners, the southerners, and to put together policies which will guide an investment strategy and the implementation of programs.

Our programs center around three particular areas, community development, business development, and housing and land development. In the community development area, we also have another experimental national demonstration project, in which the approach to the social problems has taken the form of social ventures. So we have been given funds for a language laboratory, a newcomers center, youth programs, and manpower programs.

But the reason we got those funds was because we were going to tackle those social programs from a business point of view. So we received 3 years of funding, and this is just--it's a new program so we're testing it all out to see if we can look at creating better employment though the community development program. This business development program takes the strategy we do not discriminate against anyone in terms of the recipients of venture capital. If they can prove to the staff and to the board of directors that they can make a profit and benefit the residents of the special impact area, then we can apply to the Federal Government for the venture capital.

We take the approach of looking to the universities and to the professionals for some of the high technology ventures, and we also look towards creating social ventures such as an electronics company with high labor employment.

We have, to date, initiated a small electronic manufacturing company employing 60 people with a startup cost of $90,000, 90 percent were previously unemployed, 80 percent do not speak English.

In the area of housing and land development, we are also creating employment in the construction area, and we have 300 units of section 8 housing to work with and we are working to create employment through the construction, bonding, and subcontracting areas.

So the CDC program in Boston is an experiment, and we recognize in our community that we are at the forefront of the CDC's of the Asian community. We also recognize that given the fact that there is only a budget of $44.8 million recommended by the President, I would urge the Commission on Civil Rights to consider legislative admendments which would provide other Asian communities throughout the United States the opportunity to have a CDC and to increase the allocations of the program budgets for SCA-OED.

Thank you.

COMMISSIONER FREEMAN. Thank you very much.

Commissioner Horn?

VICE CHAIRMAN HORN. No questions.

COMMISSIONER FREEMAN. Commissioner Saltzman?

COMMISSIONER SALTZMAN. No questions.

COMMISSIONER FREEMAN. Mr. Chairman?

Discussion

Chairman Flemming. First of all, I'd like to say that I appreciate very much listening to the case history that has been presented by Mr. Kahng; this is an indication of how some results can be achieved.

I'd like to ask Mr. Der and possibly this other—other members of the panel could also respond to this, whether he could supply for our records of this consultation one illustration from the private sector and one illustration from the public sector of an affirmative action plan that included Asian Americans and that produced results.

In other words, that did open up employment opportunities for Asian Americans, one in the private sector and then two in the public sector.

Is this possible? I mean can any of you think of a specific situation where an affirmative action plan by a private employer and another one by a public employer included Asian Americans and was really implemented and implemented in such a way that it did open up opportunities for Asian Americans? Is that possible?

Mr. Der. Commissioner Flemming, yes. We can provide an example of private—litigation against a private firm that resulted in increased employment opportunities for Asian Americans and that will be forwarded for the record. Secondly—

Chairman Flemming. That was litigation, I was going to come to that, but that was litigation against a private firm. What I'm thinking of is a situation where a private firm developed an affirmative action program and where it included in that affirmative action program provision for goals and timetables for the employment of Asian Americans, and where they got results.

I'm thinking of it both in terms of a private employer and in terms of a public employer.

Commissioner Freeman. And particularly government contractors should have such plans.

Chairman Flemming. Yes, that would be—I gather some of the rest of you also feel that you could furnish that, and if you can, I appreciate it. Time doesn't permit us to get into one now and discuss it, although I definitely would like to do that. But then I was going to follow by asking for one instance or one illustration from the private sector, one from the public sector, where litigation was initiated and resulted in an order to a private employer and to a public employer to put an affirmative action plan into operation which included timetables, or included goals and timetables. And I gather that is possible.

I make that request really to all of the members of the panel, if you, drawing out of your experience, and I gather Mr. Kahng has said he's got some experiences along this line, if you can do this, this would be a great help to us in evaluating this situation.

The Commission, as a Commission, has taken a strong stand in favor of affirmative action plans but this brings it down to a specific area, the area of the Asian American, and if we've got case histories which show that affirmative action plans were put into effect, get results, and then I think we ought to get that into the record, we ought to publicize it. Then if you've also got instances where you have litigated, and as a result of the litigation have forced a public employer and a private employer to develop an affirmative action plan, I think we ought to know about that also.

Mr. Der. Mr. Commissioner, I would just like to add, while the majority—most of my testimony focused in on complaints and litigation that Chinese Affirmative Action has been intimately involved with, we do, on a daily basis, meet with employers and try to work with them on a good faith basis to develop workable affirmative action plans in many different kinds of industry, be it the airport, quasi-public utility firms, bakeries in the San Francisco Bay area, in addition to litigation that we are involved in.

Chairman Flemming. Fine.

Commissioner Freeman. So that your submission, then, could also include a review of the techniques that you have undertaken?

Mr. Der. Absolutely. I think it's also—everything should be underlined with the fact that Federal enforcement agencies play a crucial, vital role in whether any of our activities on a good faith basis or whether it's in court, whether it just works, because they are—you know, EEOC or the U.S. Department of Justice play a pivotal role in determining and influencing the fate of many actions that people may take in affirmative action.

Commissioner Freeman. Thank you very much.

This has been very useful. And we will—our next panel will be on Federal and State policy. Thank you.

I would like to invite the panelists on Federal and State policy to come forward and take your seats, please?

For those of you who were present and heard the panelists who appeared before you, I'm sure you can understand the very great reliance that the participants have on hearing from you.

Our first panelist is Dr. Amando M. Rodriguez, Commissioner of the Equal Employment Opportunity Commission. Dr. Rodriguez?

Presentation of Dr. Armando Rodriguez, Commissioner, U.S. Equal Employment Opportunity Commission

Dr. Rodriguez. Thank you.

Mr. Chairman, Commissioners, fellow panelists. I am especially pleased to have this opportunity to participate as a panel member with this distinguished group of this consultation hearing sponsored by the

U.S. Commission on Civil Rights regarding the myths and realities of Asian and Pacific Americans.

As an Hispanic, I am very much aware of the myths and stereotypes that we as minorities have encountered throughout our lives, no matter how we constantly attempt to dispel them. As a matter of fact, the stereotypes of Asian and Pacific Americans and Hispanics are almost parallel.

How often have you heard someone say that we are a passive group of people, that we eat strange but good food, that we are physically short? Or the classic one, that we all look alike? I was born in Mexico and I'm number 13 of a family of 14. And every time I read about the pill I get very nervous, Commissioners, because it could have been me.

These stereotypes are negative. However, there are stereotypes that can be construed as positive. For example, it is often said that Asian and Pacific Americans are really outstanding business people. They are academically successful. Sometimes they say that we have strong family ties. This is positive. What binds the Asian and Pacific Americans and Hispanics is our strong cultural background and our refusal and insistance that we not give it up. What we hope to accomplish through the various panel discussions, I hope, is to dispel these myths and stereotypes and deal with the realities.

It will not be easy, it never was, to erase what has been going on for centuries. But every time we have an opportunity to discuss this problem, we can be assured that we are sensitizing as well as educating someone who will begin to see us in a new and hopefully more positive perspective.

They key word, I believe, is sensitize. I consider myself somewhat of an optimist. As an optimistic person I do not believe that most people intentionally discriminate against us. It is just that they have not been sensitized to our unique cultural backgrounds, our languages, or the problems which arise as a result of our cultural differences, and how positive these differences are, and therefore, they do not, and are not always certain how to deal with us.

As a member of the Equal Employment Opportunity Commission, I have made it a part of my everyday responsibility to sensitize my colleagues and coworkers of the unique problems of the Hispanic as well as the Asian and Pacific American.

This is my responsibility. And I believe that through this process of continued sensitization, you and I will see some very positive action coming out of the Commission, and will acknowledge the sincerity of their efforts to ensure that everyone is given the opportunity of equal employment.

The Commission today is going through—has gone through—and will continue to go through—a significant reorganization. For the first time in years there is a full Commission—five Commissioners meeting to discuss policy action, working towards assuring equal employment opportunities for everyone.

In the reorganization there have been established 22 district offices and 37 area offices, for a total of 59 offices scattered strategically throughout the country, ready and willing and able to provide services in terms of assurance of equal employment opportunity.

And for the first time ever, the agency, EEOC, has full authority, full responsibility, for Title VII and assurance of equal employment opportunity both in the private and the public sector.

EEOC also has sole authority for development and dissemination of information relative to Title VII, equal employment opportunities. It also has the full coordination responsibility for policies and procedures for equal employment due to equal pay and age.

The agency has also the full authority for equal employment and affirmative action programs for all Federal agencies. Recently the Commission issued the affirmative action guidelines which are an interpretation and opinion of the Commission spelling out principles to follow in designing a lawful affirmative action program. The guidelines provide a clarification of issues related to affirmative action and barriers to equal employment opportunity. It encouraged *voluntary* action and compliance to the statute.

EEOC is now embarking on an intensive program of systemic discrimination elimination—the more common class action approach. This strategy, when fully in gear, should enable us to reach the roots of much employment discrimination. Concern of Asian and Pacific Americans is and will become a major effort of our agency. But I believe that in order for people to utilize this new efficient and effective process, they must become aware of it.

I recently met with a group of Hispanic leaders who had concerns very similar to those expressed by the Asian and Pacific Americans. Those concerns included the need for more bilingual informational material on EEOC, hiring of bilingual staff according to the population being served, the need for a more concerted, positive, public relations effort within their community, a sensitization of the staff at all levels of the agency of the unique characteristics of the minority population being served, and the important need to initiate systemic investigations for the underrepresented minority classes.

Although I have been aware of many of these concerns myself, now that they have been brought to my specific attention and discussed at length, it is now my responsibility to improve and change the system wherever and however I can.

I am sure that many issues of concern will be brought to light during these panel discussions, and I and my colleagues in the Commission stand ready to address and hopefully resolve them for the betterment of all people in our country.

Thank you.

COMMISSIONER FREEMAN. Thank you.

Our next panelist is Mr. Dale Minami, a practicing attorney in employment and civil rights law.

Mr. Minami helped found the Asian Law Caucus, is a member of the Asian American Bar Association, and teaches Asian American studies at the University of California at Berkeley.

Mr. Minami?

Presentation of Dale Minami, Attorney, Oakland, California

MR. MINAMI. Thank you. Madame Commissioner, fellow Commissioners, fellow panel members and members of the audience, it's kind of a lonely panel and you took away my first paragraph of my talk but I'll just continue on from there.

I have been practicing law in the San Francisco Bay area for the past 8 years. Our office in a private firm does a lot of civil rights work, including class and individual employment discrimination suits based on race and sex.

We've done suits against the State attorney general, the San Francisco Police Department; we're currently involved in suits involving Title VI litigation—failure to provide Asian American studies program while other programs were provided. But before you brand me as another sue-happy, troublemaking attorney, I'd like you to consider some remarks which I have directed primarily to the Equal Employment Opportunity Commission and the Office for Civil Rights.

I would also ask to reserve 1 minute of my time, as I would prefer to cut my talk down to 9 minutes, and I'd like to present a petition, which is signed by 40 participants, here at the very end and I would like a minute at the end, if possible.

COMMISSIONER FREEMAN. That will be at the end of 8 1/2 minutes.

MR. MINAMI. Fine. In 1973 we brought a class action employment discrimination suit on behalf of Asian Americans against California Blue Shield; it was the suit that Professor Khang was referring to, and I didn't hear all of his talk but I wanted to quote some statistics involving the case.

The statistics showed that 23 percent of the employees of Blue Shield were Asian American. Of that total, 96 percent or 96 percent of Asian Americans occupied clerical or technical positions. No Asian American was in the top 19 decisionmakers, and while 1 out of every 6 white persons was a manager or supervisor, only 1 out of every 39 Asian Americans was a manager or supervisor. White employees outnumbered Asian Americans 2 to 1, but in the officer and managerial ranks outnumbered them 15 to 1.

As young, scared attorneys, we went to the EEOC for assistance. We asked them to intervene on the case as we thought that there were a number of factors making this case important. It was the first class action brought on behalf of Asian Americans in employment discrimination; a suit and a victory would probably encourage many more reticent Asian Americans to continue fighting for their civil rights. I think the publicity would have dispelled stereotypes that Asian Americans have no problems and also deter the company from further practices.

The EEOC turned us down summarily. They had some brief conferences, said the case wasn't serious enough, and told us that the case was too political. Insiders in the EEOC told us later that they just felt that Asian problems were not that serious, and this wasn't important a case enough to take.

Five years later, with a different governmental agency, we ran into the same kind of insensitivity. We filed an administrative complaint with the Office for Civil Rights, Region X, against Washington State University for discrimination in failing to provide and establish Asian American studies, counseling and recruitment programs, while other minorities had such programs.

The documents that we obtained from the university showed that blacks had applied for a program in 1968; they got their program 6 months after they submitted a proposal. Chicanos received their program 1 month after they submitted a proposal, and Native Americans got their program several years before they submitted a proposal.

Asian Americans, on the other hand, submitted a proposal in 1973, they were repeatedly turned down, and to this date they do not have a commitment for a permanent program at Washington State University.

Over $1.4 million was spent up to 1978 on the other programs and not a cent on Asian American studies or counseling or recruitment. Asian Americans were the largest or second largest minority on the campus for each of the years from 1973 to 1977. And despite recommendations by a special consultant hired by the university and a blue ribbon committee again we still have no commitment for a permanent program.

The Office for Civil Rights failed to conduct virtually any investigation and ultimately made a finding of "no discrimination." They simply felt that Asian American concerns were not significant enough to warrant a detailed investigation and deep legal analysis.

I think those two simple examples point out two problems which I see in the EEOC and the OCR, which are in part traceable to employment practices of the Federal Government in these particular areas.

The first problem basically is that these institutions are political institutions. Growing up as a naive kid from Gardena, which is a small suburb of Los Angeles, these things I didn't learn about until later, and I found out no, they don't decide cases on the merits; they decide it on how much pressure you can put and how much damage you can inflict on them at one point in time.

The lesson for Asian and Pacific Americans is obvious. The way to go about it is to organize, organize locally and nationally, and put together enough power and strength to lobby these institutions because they will act primarily on political grounds.

The second problem I think is just as systemic—it involves the lack of sensitivity and responsiveness on the part of these governmental institutions. I appreciate what Mr. Rodriguez says and I hope what he says is, in fact, true—that efforts will be made to place Asian and Pacific Americans in higher positions within the agencies.

Statistics that I have found point to the contrary. What I see in those institutions and in those particular cases is a tremendous amount of insensitivity, a feeling that Asian Americans don't have problems, their cases aren't worth merit, and lack of a real commitment to mobilize organizational resources behind problems and complaints by Asian Americans.

I wasn't able to get updated statistics, although I filed a Freedom of Information Act [FOIA] request some time ago and I haven't received anything yet. So I'm using statistics I obtained through other means. I will add the new statistics in an appendix when I receive them.

As of September 30, 1978, the Office for Civil Rights employed 24 Asian and Pacific Americans out of 1,030 for a 2.3 percent. Only 1 out of 141 was at a grade 13 or higher. And I understand now that that has changed, there are more Asian Americans at that grade. But I don't know exactly how much.

Among the 18 members of the senior staff, which is the most powerful part of the Office for Civil Rights, including the director, the principal department directors, etc., there are no Asian Americans, and among the 48 members of the executive staff, which includes senior staff, regional directors, which number 10, division directors which number 14, and others, of course there are no Asian Americans.

The EEOC is similarly Asian-less at top levels and again I'm using old statistics of August of 1977, so please bear that in mind.

Asian and Pacific Americans number 36 out of 2,274 employees, at 1.6 percent. There were no listed Asian or Pacific Americans at grades GS-18, 17, 16, 15, or 14. There were 7 at GS-13 and 6 at the GS-12 level.

In the Los Angeles area where there's the highest concentration of Asian Americans on the mainland, the highest ranking Asian American was a GS-9, and she is at an investigator level.

Employees of the EEOC have told me that they know of only one in the entire country, one Asian and Pacific American who is at a supervisory level.

It seems clear that without Asian Americans and Pacific Americans at the policymaking level, the decisionmaking level, situations such as the Blue Shield case, the Washington State University case, are bound to recur.

I'm not so naive that I believe that just an Asian face or an Asian name will ensure sensitivity, but I think it would go a lot further as far as the record of these agencies to this date.

Before a strategy to combat institutional racism against Asian and Pacific Americans can be formulated, I think further information is necessary. I don't know too much about the U.S. Commission on Civil Rights; I was a third round draft pick for this particular speaking position. So I'm just giving you what I know as far as I know.

But I do understand that you have a capacity and a fine capacity to do research and make studies and I have read a number of them. And I think this is the strength of your area and the thing that I would suggest that you do. I would suggest that you obtain employment figures from the EEOC, the Office for Civil Rights, Office of Federal Contract Compliance, and the government agencies that deal with employment, find out how many Asian and Pacific Americans are in what positions, what authority do they have, are whether they are supervisors or not supervisors.

Study and compare these statistics to other racial minority groups and other groups. I think it will be good to talk to Asian and Pacific American workers, probably anonymously, and find out their feelings.

Secondly, I would suggest that you analyze the treatment of Asian and Pacific American complaints, obtain statistics on the number of Asian and Pacific American complaints, the types of complaints, the number withdrawn, the number resolved in favor, the number resolved against the complainants.

You might try to discover how many of them are adequately investigated. For example, in the Washington State case, the Office for Civil Rights eventually made a finding against us, and they did so without the benefit of an investigation, they didn't interview complainant, they didn't interview any of the teachers or faculty at the university, and they basically settled on political expedience.

Their attitude was really nonchalant about dealing with Asian Americans, so I would suggest that this study would be apropos and it would help us formulate strategies for the future.

It may also be turned over to another sue-happy, troublemaking attorney who might consider filing a suit against the Federal Government, after conciliation, of course.

But based on this kind of study, I think it will present alternatives to us in the future and give us an idea of what is really happening to our employees inside these particular agencies.

Thank you very much.

COMMISSIONER FREEMAN. Mr. Minami, did you want to use your 1 minute at the end of the panel?

MR. MINAMI. May I use it at the end, Madame Commissioner?

COMMISSIONER FREEMAN. Yes.

MR. MINAMI. Thank you.

COMMISSIONER FREEMAN. Our next panelist is Ms. Betty Lim Guimares, who now serves as commissioner of the California Fair Employment Practices Commission and also is program manager for CETA employment, affirmative action, and cultural programs for San Francisco.

Presentation of Betty Lim Guimares, Commissioner, California Fair Employment Practices Commission

MS. GUIMARES. Thank you.

Ladies and gentlemen, Commissioners. Public policy at all levels of government is aimed at the use of public resources to obtain full employment for those who are willing and able to work. When this policy translates, for example, into a program such as the federally funded CETA program, there is very little impact on the employment problems for the Asian/Pacific communities.

However, I would like to describe what does happen, where the Asians are emerging as a voice in the community, and I'm speaking about San Francisco. All those Asians have been a vital part of San Francisco for over 125 years; only within the last 3 years, thanks largely to the organizational skills of the various Asian groups, and not in small part to the policies of one man, our beloved late Mayor George Moscone, Asians are beginning to participate in the governmental process.

In last November's election, an Asian American was elected to the community college board and she received the highest number of votes citywide.

Another Asian American in the field of 96 candidates citywide for 16 seats on the charter revision committee also received the highest number of votes citywide. And, of course, the results of both these elections led to the election of these two people as the presidents of their boards.

There's an Asian elected to the board of supervisors and another to the school board, another dozen Asians have been appointed to city commissions. While what I say sounds very impressive, I want to make it clear that we are just beginning. It follows, then, that of the 32 members of the employment and training council in San Francisco, which sets the policy and devises the plan and oversees the operation of the CETA programs, 7 of us are Asians, and this follows with Dale's point about organizing and making the Asian and Pacific voices heard.

Then, again, it follows that the CETA program in San Francisco will come up with a plan that addresses the needs of the Asian communities, although the Federal legislation and regulations certainly do not specify those needs.

In San Francisco CETA provides funding for a variety of programs to assist Asians in obtaining jobs or in training. The Chinese for Affirmative Action, the American Cooks Program, the Asian Neighborhood Design, the Chinatown Resources Development Center, the Community Education Center, West Bay Multi-Service Corporation, Glide Foundation, Vietnamese Youth Development Center, the Self-Help for the Elderly, Multiservices Center for Koreans, Samoans for Samoans, and add to this a list of some 30 more Asian, nonprofit community agencies who receive CETA workers to assist in the work in the agency and, in turn, are assisted in finding jobs after their CETA experience, and it is clear that a Federal program such as CETA can have impact on the Asian communities.

However, as we are all aware, Congress—both houses of Congress—through the budget committees, just recently voted to reduce the CETA funding substantially. So the Proposition 13 situation in Calfornia is being heard in other States and I think the Federal Government is also heeding this advice for less government spending.

Let me talk a little bit about the California Fair Employment Practices Commission. I'd like to offer a brief description of the experience of the FEPC in terms of the filing of complaints. I should point out that for the purpose of this statement, Asians include Chinese, Japanese, Koreans, Southeast Asians, and Filipinos.

To obtain the most relevant body of information, the data compiled cover the period of July 1, 1977, to March 31, 1979, 3 months short of a 2-year period.

But providing the most up-to-date statistics our computer could furnish for this 21-month period, we received from Asians a total of 398 complaints, all but 20 of them in employment, the others being in housing and public accomodations.

This was out of a total of 5,326 complaints docketed. For the purposes of comparison, 4,500 complaints were filed by black clients, and 1,200 by Hispanic origin individuals.

While the total number of Asian complaints continues to rise, the percentage of such complaints of all those we receive remains fairly constant over the years, approximately 7 or 8 percent. The bulk of the complaints were received from Asians involved in upgrading or promotions.

American-born Chinese or Japanese, for example, may find it relatively easy to get jobs, but are blocked off from promotional opportunities. Our investigators find that the kinds of reasons employers give for not promoting, and in some cases not hiring for entry level jobs, fall into certain patterns.

One employer, for example, claimed that his failure to promote an Asian worker was because he was a good researcher, but like most Asians, he was not action minded and probably couldn't make the decisions required of a manager. This ties in with the stereotype that Asians are too studious or too clannish, and that Asians are not aggressive enough.

Another major problem already mentioned relates to educational accreditation. Although the individual might have been highly qualified educationally in his or her native land, those credentials are often not accepted unless they come from an approved list of universities.

This has led to frequent complaints of employment discrimination. Even when Asians speak fluent English, they are often described as lacking communication skills. The Fair Employment Practices Commission recently heard a case of an Asian who worked 6 years in one of the counties in California. After a distinguished career documented by good evaluation reports and two promotions, by the way, a new supervisor decided that this same person had communication skills problems, and recommended in his written evaluation report that the complainant should stop speaking his native language at home.

He was eventually terminated from his position, and the Fair Employment Practices Commission eventually found that he suffered unlawful discrimination, and has ordered reinstatement and back pay.

We know, of course, that the major block of discrimination won't be eradicated or, indeed, significantly ameliorated by filing of individual complaints alone, especially when there is a reluctance of Asians to file complaints.

One project that the commission did engage in very recently is a hearing to find out why there was underutilization of the Asian work force in the bakery industry. This was requested by the the Chinese for

Affirmative Action, and when the commission spoke to the industry, they were very reluctant to participate in such a hearing.

After several meetings there was an agreement between the communities and the bakeries that we would have a forum, and that forum was held very recently. The representative of the bakery industry did announce an agreement to work with the community agencies to provide liaison and to jointly recruit Asians for jobs that become open.

In June the commission will receive a report as to how this is working, and perhaps consult with the communities about other industries that we could work out a similar program for.

In the last 30 seconds, I would like to make a few recommendations, not very difficult to implement, and not very lofty.

First of all, Federal agencies must give the Asian and Pacific communities the recognition that they deserve so that when we see a mention or Asian or Pacific communities in the Federal publication, we don't consider it a major miracle.

The other is that recommendations from the Asian and Pacific communities must be taken very seriously and a vehicle must be provided for ongoing dialogue, planning, and implementation of those recommendations.

Thank you.

COMMISSIONER FREEMAN. Thank you.

Discussion

Mr. Minami, you may take your 1 minute.

MR. MINAMI. Thank you very much, Madame Commissioner.

This is a petition to the U.S. Commission on Civil Rights, it's signed by 40 participants, and we will probably get more and we'll turn them in at the end.

We, the undersigned participants in the U.S. Commission on Civil Rights Consultation on Asian and Pacific Americans request that the following recommendations be implemented:

One, that the Commission submit specific findings and recommendations to the Congress and to the President.

Two, that appropriate Federal agencies named in the consultation be called before the Commission to respond to the issues and data presented during the consultation.

Three, that more indepth studies on priorities, issues, and problems be pursued by this Commission.

Four, that the President appoint an Asian or Pacific American commissioner to this Commission.

Five, that this petition be submitted into the records of the proceedings of this consultation, and printed as part of the report of this consultation.

Thank you very much.

Chairman Flemming. Thank you. It will be received and included in the proceedings.

Vice Chairman Horn?

Vice Chairman Horn. I was very interested in your comments, Ms. Guimares, about CETA. I share your concern that Congress has cut back on the level of appropriations since my own experience with this program is that it is an immensely worthwhile transition program to provide skills for individuals who are moving from an underemployed or unemployed status into more beneficial occupations.

But there's another aspect of that program that deeply concerns me, and that is not simply the cutback in the level of funding but also the reduction in the amount of monthly wage that can be paid to a CETA employee. In essence this new policy is freezing out people who have some sophisticated competency, but are not employed, from an opportunity to source adequate employment experience, which would help in a transition to either the private or the public sectors.

Would you comment about that and perhaps inform this Commission whether the California FEPC has protested to the Department of Labor and the Congress about this regulation.

As I recall, they've cut the monthly stipend to something like $860 a month, and that doesn't even cover our lowest ranking job in the university, whether it be custodian or clerical.

Ms. Guimares. Yes. In the average annual wage, the legislation requires nationwide that the CETA program fund jobs at no more than $7,200 a year. And then, of course, that's indexed according to the consumer price index of each area and in San Francisco it's $8,935.

And your comment about this kind of provision eliminating many jobs, including those that would provide many of the social services, for example, is correct. In San Francisco we are, however, allowed to supplement with city funds or other funds, a certain amount, I think it's $1,200. It's still not very much money.

And many of the private nonprofit agencies cannot afford that supplementation, so they have to stick with the $8,935. In San Francisco, the average CETA wage is about, right now is running about $10,000, so it will—it will hurt.

The other factor that is that they will not allow you to create a part-time job and get around the average wage that way. If you hire somebody for $6,000 for half time, they compute it as a $12,000 job, so they whole idea is really to turn the CETA services back to those who are most needy in terms of economic status and the criteria, of course, have changed; everyone who serves must be from the low-income bracket and then must be 12 to 15 weeks unemployed depending on the title.

The FEPC had not, to my knowledge, provided any written comments on the law when it was being proposed.

Vice Chairman Horn. Well, I hope the California FEPC does provide such comments because here's a good example of a program where people with presumably worthy goals go about fouling it up. Apparently, there is a feeling that there have been abuses in the public sector perhaps because some in city hall have put their cousin on as an assistant to a councilman or something. The congressional response seems to be, "Then let's get them out of the public sector and transition CETA employees into the private sector."

I am aware that you can use CETA employees in the private sector because other than meeting the minimum wage there aren't wage scales that are devised by legislative bodies to prevent the unfair exploitation of workers so you can pay them a low wage.

The problem in the public sector is that the lower cost jobs have only a somewhat adequate base. I won't say it's adequate because I don't believe it is for clericals or custodians and right now. Thus, under these regulations in California with its cost structure, CETA employees are frozen out of the opportunity to be part of at least the State employment force to any extent, which means, again, opportunities for getting themselves prepared for a long term job are being washed down the drain by counterproductive Federal policies made here in this city, no doubt with good intent, but with complete impracticality.

Ms. Guimares. I think all the local jurisdictions are really feeling the impact of this policy.

Chairman Flemming. Commissioner Saltzman?

Commissioner Saltzman. Dr. Rodriguez, an earlier panelist, Dr. Nishi, indicated that the presence of the Asian/Pacific peoples predominantly in the urban centers along with other minority communities in the urban centers, are all in competition for employment. The possibility of confrontation between minority groups is especially—since there is only so much to the pie.

Will everyone have a lesser share of the pie? Do you view the effort of EEOC to now move forward on behalf of Asian and Pacific American people as possibly diluting the potential for jobs of the black, Spanish speaking, or women's groups?

Commissioner Rodriguez. No. That has been the case. I remember arriving at HEW under the Johnson administration as opening the first office for the Spanish speaking, and when I approached the bag of money that exists for all people, I saw that there was less than 20 percent set-aside for minorities, and the question was: What happened to that 80 percent? That's the money I wanted to get into because there was no sense in fighting the then-established minority who was receiving it, but that's not the way it worked.

The truth in the pudding is that because of our new authority to monitor the affirmative action programs, we have a better opportunity at this point to assure that there is and there will be Asian and Pacific Americans in all sectors, both in the private and in the public, and we intend to do that.

But we do not look at it in terms of competition with the other minorities, but rather in competition with everyone.

Which means that you Anglos are going to have to give up something.

Commissioner Saltzman. You're saying the resources for the EEOC to move ahead in this area will not be taken from the black community, or the Spanish American community. Right? Where then will those resources come from for EEOC?

Commissioner Rodriguez. I have a staff member in my office who's an Anglo. He's been with me for years because he always reminds me that you Anglos have all the land, the money, and the votes. So that's where we're going to get it from.

Vice Chairman Horn. Well, could I just say on that that there's a difference of philosophy in terms of how one puts all people who want to work in a society into productive employment. And what you're falling into the trap of, in my humble opinion, is the old saw of the depression, that the American economy will never expand and provide growth and it is only a question of how you cut up the pie. And in order to cut up an existing pie, presumably one takes from those.

I suggest that's a crazy way to approach government and progress in this society. And what this government and public officials ought to be thinking about is how to expand opportunities in which all people in a society can advance, and not get into internecine warfare, whether it be among minorities or whether it be among so-called majorities and minorities.

I don't think that is necessarily the way public policy has to go.

Commissioner Rodriguez. Stephen, I agree with you—but that's the way the cookie's crumbling these days. I ran a college across town from your university and I had to make it work this way. And I'm sure that you're doing it because I see some of the changes that you've made over there. But you had to take it from somewhere. You didn't exclude people but what you did is you made sure that equal employment was provided and you didn't provide by taking it from other minorities, you provided it by where the vacancies were.

And if 80 percent of your faculty is Anglo, then the chance is that 80 percent of the vacancies will be there; and if you provide major opportunities there, then that's where you're going to get positions to bring minorities in. That's what you have to look at.

You can't kid anybody that you're doing it equally. We're looking at the greatest opportunity where the greatest sources are to bring about parity in representation of government employment, you know, in all the things that there are in terms of being able to contribute to this country.

So we do kid ourselves. I've been doing it for years, and I'm probably older than any of you. I've been on both sides of the stick. That's where the pot is, and that's where you go.

MR. MINAMI. May I respond to that? I think I would disagree and the reason I disagree is I don't know if you can count on a continually expanding economy given the problems we've had with oil and other problems and a coming recession possibly.

I think you've got to take it from the Pentagon. You're talking about giving half your money away, your tax dollars for arms and for the Pentagon and I think it's a matter of just priorities. We're looking at human development, human resources, civil rights, it's really a matter of what you really think is important for your particular lives and for the lives of your fellow brothers and sisters.

I would look at it that way.

VICE CHAIRMAN HORN. Mr. Chairman?

CHAIRMAN FLEMMING. I hesitate to get into this dialogue between Mr. Rodriguez and my colleague, and I even hesitate to respond to the comment on who's the oldest around here.

COMMISSIONER RODRIGUEZ. I happen to know his age.

CHAIRMAN FLEMMING. But—okay. As between you two, all right, I'll agree to that.

My feeling is that we must constantly put emphasis, of course, on growth, but I also feel that where discrimination can be established, that we have to start bringing an end to that discrimination at once, and sometimes that means doing it within existing resources.

We've done some work in the area of age discrimination and your commission is going to have some responsibilities in that area beginning on July 1, and we're often met by people who allege that they will start, or stop discriminating on the basis of age provided they're given some money.

But, in the meantime, they'll continue to discriminate.

So it seems to me that it is necessary to break into the vicious circle at some point, and to take—and at that particular point to begin bringing an end to discrimination on the basis of race in this particular instance.

But in—I thought you might want to comment before this particular panel session ends, on some of the comments of Mr. Minami, but I wanted to ask this question. You referred to the fact that the Equal Employment Opportunity Commission is going to put major emphasis on systemic approach and I know I've heard your chairperson underline the same point. Are you aware of any program that is going to be launched that will deal with that systemic approach, particularly as far as Asian Americans are concerned?

COMMISSIONER RODRIGUEZ. Yes, but I cannot reveal it.

COMMISSIONER FLEMMING. Okay, I just wanted—

COMMISSIONER RODRIGUEZ. Yes, there are—

COMMISSIONER FLEMMING. —that's part of your thinking and a part of your planning?

COMMISSIONER RODRIGUEZ. Yes.

CHAIRMAN FLEMMING. Also another issue that came out, came up in connection with Mr. Minami's testimony, as the Commission works on its own affirmative action plan, that is, involving its own employment, is it going to put emphasis on some goals and timetables as far as Asian Americans are concerned?

COMMISSIONER RODRIGUEZ. Yes.

CHAIRMAN FLEMMING. All right. Would you like to comment on any of Mr. Minami's testimony? He referred to the EEOC and the Office for Civil Rights. Of course, he referred to a matter that took place long before you took office, but I didn't know whether you wanted to comment or not?

COMMISSIONER RODRIGUEZ. I've requested that I get a copy of the—of the charge and the written correspondence and I've also asked that we get together to see how we can join forces and, as far as I know, his statements relative to the profile of EEOC is accurate.

CHAIRMAN FLEMMING. If you develop a comment on the specific case to which reference was made, we would appreciate very much having that information so that we can make it a part of the record of this consultation at this particular point, so that we've got a—we've got the statement made by Mr. Minami and then statements made by the Equal Employment Opportunity Commission. And I also intended right at the begining to say that we certainly welcome you as a member of the Equal Employment Opportunity Commission and are delighted that you accepted the invitation to become a member of that Commission, because we feel, as we work in this particular area, that the Equal Employment Opportunity Commission is playing, and will continue to play a very major role.

VICE CHAIRMAN HORN. Thank you.

We have come to the close of this morning's discussion on employment issues. And I want to thank each of you for taking the time. You have made a very helpful contribution to the proceedings. Thank you very much.

Disadvantaged Employment Status of Asian and Pacific Americans

by Dr. Amado Y. Cabezas*

The American Heritage Dictionary (1976) defines a myth as: "(1) One of the fictions or half-truths forming part of the ideology of a society: 'the myth of Anglo-Saxon superiority', or (2) Any fictitious or imaginary story, person, or thing: 'German artillery support on the Western Front was a myth'."

This morning I am addressing some of the mythology about the socioeconomic success of Asian and Pacific Americans. In particular, I will focus on myths about the homogeneity or sameness of Asian and Pacific Americans, about their success in the job market, about their high income and the consequences of their high educational attainment level, and about their success in business. Along the way, we also point out the problems with standard socioeconomic indicators, usually inappropriate for these populations. I will conclude with some recommendations about equal employment opportunity, affirmative action, and other minority programs for Asian and Pacific Americans.

Myth No. 1:

> *"Asian and Pacific Americans all look alike. They are pretty much the same people."*

The U.S. Bureau of the Census about 2 years ago, while preparing the questionnaire for the 1980 census, attempted to make this myth a reality—and nearly succeeded. The Bureau was seriously considering the use of one *aggregate* category, "Asian American or Pacific Islander," to include *all* Americans of Chinese, Japanese, Filipino, Korean, Vietnamese, Cambodian, Samoan, Tongan, Indonesian, Burmese, and other Southeast Asian descent. The 1970 census data *itself,* collected separately for Americans of Chinese, Japanese, Filipino, Korean, and Hawaiian descent, show the diverse demographic and socioeconomic characteristics of these populations.[1] See, for example, the distribution even by broad occupation of the Chinese, Filipino, Japanese males and females in the San Francisco-Oakland metropolitan area (tables 1 and 2).[2] The tables show differences, for example, in the proportion of male workers in the managerial, professional laborer, and service worker occupations. There are proportionately more Filipino and Chinese males in the service worker occupations. The proportion of Japanese males in the laborer ranks was the highest among the four ethnicities. The tables also show differences in the proportion of females in the professional, clerical, operative, service worker, and private household worker occupations. There are proportionately more Chinese females in the operative ranks (mostly garment workers), more Filipino females in the service workers and clerical occupations, and more Japanese females in the private household worker ranks.

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[1] U.S., Bureau of the Census, *Japanese, Chinese, and Filipinos in the United States,* Subject Report PC (2)-1G(1973).

Among others, they are also different in culture, language, and recency of immigration. A fundamental concept in statistics is: "Thou shall not aggregate nonhomogeneous entities." The Bureau pretested the *aggregate* category in Oakland, California, in 1977 and found inconsistencies between the data and that obtained using the specific ethnicity categories. Apparently, many of these Americans did not see themselves as Asian American or Pacific Islander; rather, they were of Chinese descent, Filipino descent, Japanese descent, Samoan descent, and so on. The 1980 census questionnaire now uses the specific ethnicity categories and has added others such as Vietnamese, Samoan, and Guamanian.

It is convenient to use the aggregate category. In this consultation and other places, "Asian and Pacific American" is being used; however, this should in *no* way be taken to mean that these Americans are all alike, that their problems are the same, or that their diversity can be ignored.

Myth No. 2:

> *"Asian and Pacific Americans are not discriminated against in employment. They hold good jobs and are found in all sectors of industry."*

In a study funded by the U.S. Equal Employment Opportunity Commission, ASIAN, Inc. found discriminatory patterns of employment in the private sector in the San Francisco Bay Area.[3] The data base used was the 1970 and 1975 EEO-1 data as reported to the EEOC by employers themselves. The disparities were found to be statistically significant and, therefore, not likely due to random chance. The patterns, showing very little change over the 5-year period, are *prima*

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[2] Amado Y. Cabezas and Harold T. Yee, *Discriminatory Employment of Asian Americans: Private Industry in the San Francisco, Oakland SMSA*, ASIAN, Inc.: San Francisco, Calif., 1977).

[3] Ibid.

Table 1

Distribution by Broad Occupation of Chinese, Filipino, Japanese, and White Males, All Industries in the San Francisco-Oakland SMSA, 1970

Broad occupation	Male occupational distribution %			
	White*	Chinese	Filipino	Japanese
Manager/administrator**	14%	10%	4%	12%
Professional/technician	20	20	12	24
Salesperson	9	6	2	5
Clerk	9	15	18	12
Craftsperson	20	10	11	11
Operative	14	12	10	9
Laborer, except farm	5	4	5	14
Farmer and farm laborer	0	0	2	3
Service worker	9	23	36	8
Private household worker	0	1	1	1
All occupations	659,543 =100%	22,448 =100%	10,414 =100%	8,548 =100%

*White includes Spanish Americans and thus is biased downward in the high-status occupations and biased upward in the low-status occupations.

**A breakdown of self-employed vs. salaried managers, such as shown in table E of appendix E, for the Asian American aggregate is not available.

Source: U.S., Department of Labor, *Detailed Manpower Indicators—San Francisco-Oakland, SMSA* (San Francisco: Manpower Administration, DOL, 1972).
U.S., Bureau of the Census, *Japanese, Chinese and Filipinos in the U.S.* (1973).

TABLE 2

Distribution by Broad Occupation of Chinese, Filipino, Japanese, and White Females, All Industries in the San Francisco-Oakland SMSA, 1970

Broad occupation	Female Occupational Distribution%			
	White*	Chinese	Filipino	Japanese
Manager/administrator**	5%	3%	2%	3%
Professional/technician	19	11	15	16
Salesperson	9	6	3	5
Clerk	45	38	51	40
Craftsperson	1	2	1	2
Operative	6	26	6	8
Laborer, except farm	1	1	1	1
Farmer and farm laborer	0	0	1	2
Service worker	12	11	19	12
Private household worker	2	2	2	12
All occupations	410,709 =100%	16,279 =100%	7,963 =100%	7,464 =100%

*White includes Spanish Americans and thus is biased downward in the high-status occupations and biased upward in the low-status occupations.

**A breakdown of self-employed vs. salaried managers, such as shown in table E of appendix E for the Asian American aggregate is not available.

Sources: U.S., Department of Labor, *Detailed Manpower Indicators—San Francisco-Oakland SMSA*, (1972)
U.S., Bureau of the Census, *Japanese, Chinese, and Filipinos in the U.S.* (1973).

facie evidence of discrimination based on present caselaw. Therefore, the evidence is sufficient to shift the burden of proof to the employers.

Among others, the study found Asian employment to be less than one-half of parity in 12 of the 17 major manufacturing industries in the area: food products, lumbers, furniture, paper, printing, petroleum, rubber, stove, clay, and glass products, primary metals, fabricated metal products, nonelectrical machinery, and miscellaneous manufacturing. (All industrial categories are from the Federal standard industrial classification code.) In the transportation, communication, and public utility industries, and in finance, insurance, and real estate, Asian and Pacific Americans are mostly clerical workers. And in the services industries, Asian employment is high in hotels, restaurants, and health services where, however, they are mostly food and cleaning service workers.

In hospitals, they are mostly nurses rather than physicians, and even in these ranks, discrimination apparently exists. Norma Watson, a Filipino American nurse who was employed by Mary's Help Hospital in Daly City (a city south of San Francisco), after being denied employment in eight private hospitals in San Francisco because "she has no local experience," has filed an employment discrimination suit against the California Nurses Association, the San Francisco Affiliated Hospitals, and the American Nurses Association, among others. In her discrimination complaint she charges that "even though I and other foreign-born and trained nurses have previous experience and training, this is not credited when we are employed, and we are therefore hired at substandard wages, are not put into positions commensurate with our backgrounds, are forced to work on undersirable shifts, do not receive appropriate promotions, and are not permitted to work in supervisory positions." The EEOC is now investigating the charge as a class action on behalf of other nurses similarly affected.

Charges of discrimination have also been filed in the last 5 years by Asian and Pacific Americans against such employers as United Airlines, Pacific Telephone, Pacific Gas and Electric, and the San Francisco Police Department, among many other employers.

Five metropolitan areas account for more than one-half of the Asian and Pacific American population of the United States; these are the metropolitan areas of Honolulu, San Francisco, Los Angeles, Chicago, and New York. The low occupational status of these Americans in these areas can be seen from their large percentages among the low status, low-income occupations, a category defined by the U.S. Department of Labor as consisting of laborers, service workers, private household workers, and farmworkers (see table 3). Also shown are their percentages among the female operatives who predominantly are garment workers. The data from the 1970 census shows the

TABLE 3

Percentage of Workers in Low-Status, Low-Income Occupations (laborers, service workers, private household workers, farm workers; separately, female operatives)

SMSA		ETHNIC GROUP			
		Japanese	Chinese	Filipino	White
Chicago:	male	9.6	34.0	15.5	13.1
	female	12.2	17.4	7.2	13.3
	female operatives	18.3	23.4	3.9	12.1
Honolulu:	male	14.0	16.9	39.6	15.6
	female	22.7	18.7	34.6	17.5
	female operatives	10.0	8.2	16.6	2.2
Los Angeles:	male	25.4	22.6	29.5	11.7
	female	16.7	10.6	13.3	14.9
	female operatives	16.6	25.6	13.0	8.2
New York:	male	7.8	38.3	16.3	14.7
	female	15.6	8.5	7.5	11.4
	female operatives	7.4	43.7	3.4	10.1
San Francisco:	male	26.9	27.2	43.5	13.1
	female	26.1	14.0	22.5	14.1
	female operatives	7.7	26.3	6.4	4.8

Source: U.S., Bureau of the Census, *Japanese, Chinese, and Filipinos in the United States, Summary Manpower Indicators*.

percentages of Chinese, Filipino, and Japanese males and females in these low-status, low-income occupations to be *two to three times* that for whites, depending on the areas.[4]

In another study sponsored by the EEOC, disparities in employment were also found in the large ranks of workers in the local, State, and Federal Government agencies in the five-county San Francisco Bay area.[5] The data base were EEO–4 reports for local and State governments, and Federal employment data from the U.S. Civil Service Commission. The common patterns uncovered that affect large classes of Asian and Pacific American employees are the following:

- Low level of employment as administrators,
- Low to fair level of employment as professionals, but with statistically significant lower salaries relative to their white counterparts.

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[4] David M. Moulton, *The Socio-Economic Status of Asian American Families in Five Major SMSAs: With Regard To the Relevance of Commonly-Used Indicators of Economic Welfare* (prepared for the Conference on Pacific and Asian American Families and HEW-Related Issues, Airlie, Va., March 1978), ASIAN, Inc.

[5] A.Y. Cabezas, W. Lim, and H. T. Yee, *A Study of Employment Discrimination Against Asian Americans in the San Francisco-Oakland SMSA: Part II, Union Labor; Part III, Educational Institutions; Part IV, The Unemployed Ranks; and Part V, Government*, ASIAN, Inc., San Francisco, Calif., August 1976).

- Fair to high level of employment as clerical workers, but with significantly lower salaries relative to their white counterparts.
- Very low level of employment as police officers in cities, sheriffs in counties, and highway patrol officers in the State.
- Low to fair level of employment as professionals in county correctional agencies and very low level of employment as professionals and protective service workers in State correctional agencies.
- Very low level of employment as fire fighters in city fire departments.
- Low level of employment as service/maintenance workers in city public works departments.

In the Federal agencies, few Asian and Pacific Americans were found among the main ranks of professionals such as: attorneys, investigators, inspectors, geophysicists, biologists, and economists. Exceptions are the IRS agent ranks and the claims assistants at the Social Security Administration and GSA. For the most part, the data showed that Asian and Pacific Americans are mostly: nonsupervisory, hourly, blue-collar workers in the various military installations; mid-level but not senior professionals (mostly accountants, engineers, technicians, and nurses); postal service workers, and most of all—clerical workers. And since U.S. citizenship is required for Federal Government employment, most of these Asian and Pacific Americans are second, third, and later generation Americans.

Here in Washington, D.C., it is probably perceived that Asian and Pacific Americans are in large numbers in the Federal Government. While this may be so, none of these Americans are in administrative, policymaking, or decisionmaking positions. There is *not* an Asian or Pacific American in such a position in any of the civil rights agencies: the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs, nor the U.S. Commission on Civil Rights itself. There is *not* an Asian or Pacific American in such a position in the minority program of the Department of Labor, the Office of Minority Business Enterprises, the Small Business Administration, the Department of Housing and Urban Development, nor the Office of Education, which is in charge of the Nations's operations in bilingual education.

Myth No. 3:

> *"Asian and Pacific Americans do well because they go to college. Because of this, their income exceeds even that of white Americans."*

We need only turn to the 1970 census data to prove this to be myth rather than reality. Special tabulations of the public use sample tapes, carried out for each of the five metropolitan areas where Asian and Pacific Americans are concentrated, reveal the poor returns in income, even with increasing educational attainment by these Americans (see tables 4, 5 and 6).[6] Excluding Honolulu, the income of Japanese, Chinese, and Filipino males, respectively, with 4 or more years of college and residing in the other four metropolitan areas was, on average, only 83 percent, 74 percent, and 52 percent that of white males. And for the college-graduate Japanese, Chinese, and Filipino females, their income, on average, was only 53 percent, 44 percent, 44 percent, respectively, that of white males. The disparities also exist among those with lower educational attainment: among those with high school to 3 years of college, Japanese, Chinese, and Filipino male income, respectively, was about 83 percent, 70 percent, and 70 percent that of white males. And finally, among those with less than a high school education, Japanese, Chinese, and Filipino male income, respectively, was about 84 percent, 60 percent, and 74 percent that of white males.

In 1970 black male income was about 60 percent that of white male income in the United States.[7] Thus, the income gap for Chinese and Filipino males and for the Asian females was comparable to that for black males. Even with factors such as age, years of schooling, Southern residence, hours worked, marital status, and veteran status taken into account, the black-to-white earnings ratio could only be increased to about 75 percent, as compared with 60 percent when these factors are not controlled for.[8] Also, significantly, the ratio was 57 percent in 1960, indicating a rate of progress that would require 50 to 100 years for parity to be reached. What does this portend for the Asian-to-white earnings gap?

Using 1970 census data, a study found that the earnings differential between Chinese, Japanese, and black males as compared with white males in California could not be explained by taking into account factors such as education, labor market experience, U.S. citizenship, number of years in the U.S., vocational training, disability, and labor market area.[9] The study concluded that the most likely cause of the earnings differentials was racial discrimination.

Median years of schooling, family income, and labor force participation rate, used independently of others as socioeconomics indicators, are inappropriate for most Asian and Pacific American populations. Most Asian and Pacific Americans are in the labor force, and most

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[6] Moulton, pp. 53–55.

[7] J. G. Haworth, J. Gwartney, and C. Haworth, "Earnings, Productivity and Changes in Employment Discrimination During the 1960's," *American Economic Review*, March 1975.

[8] Ibid.

[9] Harold H. Wong, *The Relative Economic Status of Chinese, Japanese, Black and White Men in California* (Ph. D. thesis, University of California at Berkeley) (Springfield, Va.: NTIS, 1974).

TABLE 4

Educational Attainment and Earnings for Asian and White Americans Persons with 4 or More Years College Education

SMSA		MEDIAN ANNUAL INCOME IN DOLLARS: MALES AND FEMALES				
		Japanese	Chinese	Filipino	Hawaiian	White
Chicago:	M	10,500	9,500	6,250	—	14,408
	F	7,500	6,000	6,300	—	6,788
Honolulu:	M	12,100	14,000	7,500	13,000	11,500
	F	8,250	4,750	6,000	5,500	5,750
Los Angeles:	M	12,889	11,000	6,875	—	14,311
	F	7,357	5,500	6,250	—	7,148
New York:	M	11,625	10,437	8,000	—	14,724
	F	9,000	7,375	7,429	—	7,820
San Francisco:	M	12,111	11,167	8,000	—	13,081
	F	6,000	6,300	5,167	—	6,902

Source: U.S. Census, 1970: Public Use Sample Tapes, Special Tabulations. Tabulations are made for persons 25–*59 years old*.

TABLE 5

Educational Attainment and Earnings for Asian and White Americans, Persons with High School to 3 Years' College Education

SMSA		MEDIAN ANNUAL INCOME IN DOLLARS: MALES AND FEMALES				
		Japanese	Chinese	Filipino	Hawaiian	White
Chicago:	M	9,333	6,500	7,250	—	10,904
	F	5,250	5,500	8,500	—	4,646
Honolulu:	M	9,700	10,778	6,000	8,833	8,875
	F	5,524	5,792	4,833	5,200	4,750
Los Angeles:	M	9,818	7,833	7,611	—	10,465
	F	5,196	4,333	4,250	—	5,167
New York:	M	6,500	6,571	8,500	—	10,449
	F	6,250	4,400	6,500	—	5,128
San Francisco:	M	9,500	8,881	6,750	—	10,687
	F	4,937	6,079	4,722	—	5,388

Source: U.S. Census, 1970: Public Use Sample Tapes, Special Tabulations. Tabulations are made for persons 25–59 years old.

TABLE 6

Educational Attainment and Earnings for Asian and White Americans, Persons with Less Than High School Education

SMSA		MEDIAN ANNUAL INCOME IN DOLLARS: MALES AND FEMALES				
		Japanese	Chinese	Filipino	Hawaiian	White
Chicago:	M	9,500	6,000	8,000	—	9,329
	F	4,000	3,375	5,500	—	4,250
Honolulu:	M	8,722	9,250	7,000	7,929	9,000
	F	4,077	4,273	3,500	3,437	4,000
Los Angeles:	M	7,458	5,000	4,900	—	8,766
	F	3,167	2,944	4,125	—	3,834
New York:	M	4,750	4,803	6,500	—	8,640
	F	4,000	3,588	6,250	—	3,819
San Francisco:	M	8,250	5,542	7,000	—	9,047
	F	4,250	2,950	3,417	—	4,056

Source: U.S. Census, 1970: Public Use Sample Tapes, Special Tabulations. Tabulations are made for persons 25–59 years old.

families have nearly two workers per family as compared with 1.6 for white families.[10] Their problems have more to do with low occupational status, discriminatory employment patterns, and low per-person income. Social indicators such as detailed occupational status rather than broad occupational status, per-person income, both given by specific metropolitan area, would be much more relevant indicators.

Myth No. 4:

> *Another indication of the socioeconomic success of Asian and Pacific Americans is that many of them are in business for themselves, and in this, they are successful.*"

Probably the only data base that permits an examination of this myth is the 1972 survey of minority-owned business enterprises conducted by the U.S. Bureau of the Census as part of the economic surveys held in 1972. The data, shown herein, reveal the Asian firms to be mostly in retail trade and selected services (table 7).[11] And that among these firms, more than one-half were classified as "Without Paid Employees" with average receipts per firm (table 8).

The low level of gross receipts for these firms that account for most of Asian and Pacific American firms cannot in any way be taken to

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[10] Moulton, p. 42.

[11] U.S., Bureau of the Census, *Minority-Owned Businesses—Asian Americans, American Indians, and Others*, Report MB72 (February 1975).

TABLE 7
Concentration of Asian Pacific American Firms in Retail Trade and Selected Services

SMSA	No. of firms	No. and % in retail trade	No. and % in selected services
San Francisco:			
Chinese	2,386	1,211 (51%)	591 (25%)
Japanese	1,227	228 (18%)	322 (26%)
Korean	59	29 (49%)	22 (37%)
Filipino	326	79 (24%)	178 (55%)
Los Angeles:			
Chinese	1,278	742 (54%)	351 (25%)
Japanese	5,304	1,101 (21%)	872 (16%)
Korean	398	216 (54%)	80 (20%)
Filipino	323	94 (29%)	115 (36%)
New York:			
Chinese	1,799	303 (17%)	1,300 (72%)
Japanese	179	31 (17%)	91 (51%)
Korean	81	33 (41%)	19 (23%)
Filipino	60	23 (38%)	26 (43%)
Chicago:			
Asian	875	388 (44%)	327 (37%)

Source: U.S., Bureau of the Census, *1972 Survey of Minority-Owned Business Enterprises* (1977).

TABLE 8
Average Receipts Per Firm for Those Without Paid Employers (Accounting for 50% or More of All Firms)

SMSA	AVERAGE GROSS RECEIPTS	
	Retail trade	Selected Services
San Francisco:		
Chinese	(D)	$11,000
Japanese	$31,000	$12,000
Korean	(D)	$ 6,000
Filipino	$14,000	$ 6,000
Los Angeles:		
Chinese	$47,000	$10,000
Japanese	$36,000	$12,000
Korean	$45,000	$12,000
Filipino	$ 8,000	$ 5,000
New York:		
Chinese	$31,000	$11,000
Japanese	$21,000	$ 9,000
Korean	(D)	$ 9,000
Filipino	$13,000	$ 2,000
Chicago:		
Asian	$24,000	$10,000

Source: U.S., Bureau of the Census, *1972 Survey of Minority-Owned Business Enterprises.* (1977).

(D)—Withheld to avoid disclosing data for individual companies.

mean business success. Retail trade for Asians mostly includes grocery stores and restaurants, while selected services mostly are laundries and bookkeeping services. Gross receipts per year was around $11,000 for Chinese firms in selected services; $8,000 to $14,000 for Filipino firms in retail trade; $9,000 to $12,000 for Japanese firms, and $6,000 to $12,000 for Korean firms in selected services. The receipts in the retail trade industries were higher, but included probably many unpaid family workers.

Recommendations

In view of the realities opposing the myths about the socioeconomic success of Asian and Pacific Americans, I propose the following:

1. That the civil rights of Asian and Pacific Americans, as populations including many who are socioeconomically disadvantaged, continue to be protected.
2. That Asian and Pacific Americans continue to be included in the equal employment opportunity and affirmative action programs in both private and public sector employment.
3. That Asian and Pacific Americans continue to be included in Federal programs that provide contract procurement and technical assistance to minority enterprises. In this regard, Federal regulations implementing the Addabbo bill should be amended to correct the exclusion of Asian and Pacific Americans from Federal procurement and business assistance for socioeconomically disadvantaged individuals.
4. That class-action programs and remedies be pursued by Federal civil rights agencies such as the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs, and the Commission on Civil Rights on behalf of Asian and Pacific American victimized by discriminatory patterns of employment. Such efforts should focus in the five metropolitan areas where Asian and Pacific Americans are concentrated: San Francisco, Los Angeles, Chicago, New York, and Honolulu.
5. That Federal civil rights agencies and minority programs in the various departments of the executive branch reach out to place Asian and Pacific Americans in administrative and policymaking positions to help assure equitable representation in programs.
6. And finally, that the Asian and Pacific American populations be assured of their fair share in the budget allocations and distribution of resources of Federal agencies serving the total population in the areas of employment, business, education, health, housing, and welfare.

I thank the U.S. Commission on Civil Rights for the opportunity to present our views on the realities versus the myths about the socioeconomic status of Asian and Pacific Americans.

Asian/Pacific American Employment Profile: Myth and Reality—Issues and Answers

by Manoranjan Dutta*

I. Introduction

1.1 Towards Defining the Asian/Pacific American

If the American labor is the set, the Asian/Pacific American labor force is a subset, and this subset is the subject matter of our investigation. If this Nation of immigrants has drawn upon the rest of the world for its labor supply, a broad-based, five-fold classification of the set, as has been currently adopted by the Federal guidelines, is acceptable. The present classification bases itself on continental regional origin, rather than on race/color/ethnic identification. The five-fold classification is:

(i) The natives of North America
(ii) The immigrants from Europe (white)
(iii) The immigrants from Africa (black)
(iv) The immigrants from Central and South America (Hispanic)
(v) The immigrants from Asia and the Pacific Islands (Asian/Pacific American–APA).

Any such classification is bound to be arbitrary and certainly less than perfect.

1.2 The Undercounted Minority

The subset of APA population in the 1970 census was recorded as approximately 2 million (tables 1 and 2). This number is believed to be a serious underestimate and warrants corrective adjustments for the following reasons:

(a) The general undercount:

First, it has been established that no census can be 100 percent accurate. The U.S. Bureau of the Census estimates that for the 1970 census, the undercount for whites was 2 percent, while that for blacks was 8 percent—four times as high. It has been suggested that the rate of undercount may be still higher for the APA population. Betty Lee Sung (48), in her study, projects that for Chinese Americans the rate of undercount could be as high as 20 to 25 percent. Lack of knowledge or limited knowledge of English language has been cited to be an issue in this regard.

The basic issue is one of perception—even if language were not a handicap. Historically, the Asian immigrants have been made to

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TABLE 1

Population, by Race and Sex, 1940 to 1970, and Urban-Rural Residence, 1960 and 1970

[In thousands. As of April 1. Resident population. Prior to 1960, excludes Alaska and Hawaii. See also *Historical Statistics, Colonial Times to 1970*, series A 91-104]

Race and Sex	1940	1950	1960			1970		
			Total	Urban[1]	Rural[1]	Total	Urban[1]	Rural[1]
Total	131,669	150,697	179,323	125,268	54,054	[2]203,212	149,325	53,887
White	118,215	134,942	158,832	110,428	48,403	177,749	128,773	48,976
Black	12,866	15,042	18,872	13,803	5,064	22,580	18,367	4,213
Indian	334	343	524	146	378	793	356	437
Japanese	127	142	464	381	83	591	524	68
Chinese	77	118	237	227	11	435	419	16
Filipino	46	62	176	130	47	343	293	50
Other[3]	5	49	218	150	68	721	593	127
Male	66,062	74,833	88,331	60,733	27,599	98,912	71,959	26,954
White	59,449	67,129	78,367	53,631	24,736	86,721	62,210	24,511
Black	6,269	7,299	9,113	6,557	2,556	10,748	8,657	2,091
Indian	171	179	263	72	191	389	172	217
Japanese	72	77	225	184	41	271	240	31
Chinese	57	77	136	129	6	229	220	8
Filipino	40	46	112	80	32	189	159	31
Other[3]	4	27	115	79	36	365	300	64

Female	65,608	75,864	90,992	64,536	26,456	104,300	77,366	26,933
White	58,766	67,813	80,465	56,797	23,667	91,028	66,563	24,465
Black	6,596	7,744	9,758	7,251	2,508	11,832	9,710	2,122
Indian	163	165	260	74	187	404	184	220
Japanese	55	65	240	197	43	320	283	37
Chinese	20	41	102	97	4	206	100	8
Filipino	6	16	64	50	14	154	134	19
Other[3]	1	22	103	71	33	356	293	63

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[1] Based on 1960 urban definition, see text, p. 3. [2] See footnote 3, table a. [3] Aleuts, Asian Indians, Eskimos, Hawaiians, Indonesians, Koreans, Polynesians, and other races not shown separately.

Source: U.S. Bureau of the Census, *U.S. Census of Population, 1950,* vol. II, part 1, and vol. IV, part 3; *1960* and *1970,* vol. I.

TABLE 2

Foreign Stock, by Country of Origin: 1960 and 1970

[In thousands, except as indicated. 1960 based on 25-percent sample; 1970 on 15-percent sample. See source for sampling variability. See also *Historical Statistics, Colonial Times to 1970*, series C 195–295]

Country of origin	1960		1970						
	Total	Percent	Total	Percent	Foreign born	Native of foreign or mixed parentage	Percent high school graduates[1]	Number of families	Median family income[2]
All countries	34,030	100.0	33,575	100.0	9,619	23,956	48.1	11,706	$10,719
United Kingdom	2,885	8.5	2,465	7.3	686	1,779	60.0	810	11,120
Ireland (Eire)	1,773	5.2	1,450	4.3	251	1,199	54.6	506	11,509
Norway	775	2.3	615	1.8	97	517	48.7	238	9,615
Sweden	1,047	3.1	806	2.4	127	679	52.4	326	10,038
Denmark	399	1.2	326	1.0	61	264	52.8	129	9,711
Netherlands	399	1.2	384	1.1	111	273	48.1	141	10,730
Switzerland	263	8	219	.7	50	169	(NA)	(NA)	(NA)
France	352	1.0	343	1.0	105	238	55.6	95	10,389
Germany[3]	4,321	12.7	3,622	10.8	833	2,789	42.3	1,221	9,503
Poland	2,780	8.2	2,374	7.1	548	1,826	41.4	961	11,767
Czechoslovakia	918	2.7	760	2.3	161	599	42.6	300	10,676
Austria	1,099	3.2	975	2.9	214	761	49.0	389	11,733

Hungary	702	2.1	604	1.8	183	420	48.3	236	11,845
Yugoslavia	449	1.3	447	1.3	154	294	44.6	170	11,388
U.S.S.R.	2,290	6.7	1,943	5.8	463	1,480	60.0	817	13,165
Lithuania	403	1.2	331	1.0	76	255	52.0	133	12,317
Greece	379	1.1	435	1.3	177	257	53.6	154	11,132
Italy	4,544	13.3	4,241	12.6	1,009	3,232	40.1	1,740	11,115
Other Europe	1,173	3.4	1,214	3.6	405	809	(NA)	(NA)	(NA)
Asia[4]	1,142	3.4	1,745	5.2	825	920	(NA)	(NA)	(NA)
Western Asia[5]	335	1.0	399	1.2	174	225	(NA)	(NA)	(NA)
China (incl. Taiwan)	208	.6	339	1.0	172	167	57.5	84	10,683
Japan	322	.9	394	1.2	120	274	68.1	106	12,772
Other Asia	276	.8	613	1.8	358	255	(NA)	(NA)	(NA)
Canada	3,181	9.3	3,035	9.0	812	2,222	54.6	950	10,794
Mexico	1,736	5.1	2,339	7.0	760	1,579	24.1	637	7,263
Cuba	124	.4	561	1.7	439	122	44.6	143	8,728
Other America	456	1.3	963	2.9	605	358	(NA)	(NA)	(NA)
Other [4] and not reported	462	1.4	1,380	4.1	466	914	(NA)	(NA)	(NA)

NA Not available. [1] Persons 25 years old and over. [2] Income received during 1969; for definition of median, see p. xii. [3] German Democratic Republic and Federal Republic of Germany. [4] For 1960, United Arab Republic included in Asia; for 1970, in "Other." [5] Includes Turkey in Europe.

Source: U.S. Bureau of the Census, *U.S. Census of Population: 1960*, vol. I, and *1970*, vol. I, and vol. II, PC(2)-1A.

TABLE 3

Immigrants, by Country of Last Permanent Residence: 1820 to 1977

[In thousands, except percent. For years ending June 30 except, beginning 1977, ending September 30. For definition of immigrants, see text, pp. 83–84. Data prior to 1906 refer to country from which aliens came. Because of boundary changes and changes in list of countries separately reported, data for certain countries not comparable throughout. See also *Historical Statistics, Colonial Times to 1970*, series C 89–119]

Country	1820–1977, total	1951–1960, total	1961–1970, total	1972	1973	1974	1975	1976	1977	Percent		
										1820–1977	1961–1970	1971–1977
Total	47,960	2,515.5	3,321.7	384.7	400.1	394.9	386.2	398.6	462.3	100.0	100.0	100.0
Europe	36,108	1,325.6	1,123.4	86.3	91.2	80.4	72.8	73.0	74.0	75.3	33.8	20.4
Austria [1]	4,314	67.1	20.6	2.3	1.6	.7	.5	.5	.5	8.9	.6	.3
Hungary		36.6	5.4	.5	1.0	.9	.6	.6	.5		.2	.2
Belgium	202	18.6	9.2	.5	.4	.4	.4	.5	.5	.4	.3	.1
Czechoslovakia	137	.9	3.3	1.2	.9	.4	.3	.3	.3	.3	.1	.2
Denmark	364	11.0	9.2	.5	.4	.5	.3	.4	.4	.8	.3	.1
Finland	33	4.9	4.2	.3	.3	.2	.2	.2	.2	.1	.1	.1
France	747	51.1	45.2	2.9	2.6	2.2	1.8	2.0	2.7	1.6	1.4	.6
Germany [1]	6,968	477.8	190.8	7.8	7.6	7.2	5.9	6.6	7.4	14.5	5.7	1.8
Great Britain [2]	4,879	195.5	210.0	11.5	11.9	11.7	12.2	13.0	14.0	10.2	6.3	3.1
Greece	646	47.6	86.0	10.5	10.3	10.6	9.8	8.6	7.8	1.3	2.6	2.6
Ireland [3]	4,722	57.3	37.5	1.4	1.6	1.3	1.1	1.0	1.0	9.9	1.1	.3
Italy	5,285	185.5	214.1	22.4	22.3	15.0	11.0	8.0	7.4	11.0	6.4	3.9
Netherlands	358	52.3	30.6	1.0	1.0	1.0	.8	.9	1.0	.8	.9	.2
Norway	856	22.9	15.5	.4	.4	.4	.3	.3	1.8	.5	.1	
Poland [1]	510	10.0	53.5	3.8	4.1	3.5	3.5	3.2	3.3	1.1	1.6	.8
Portugal	432	19.6	76.1	9.5	10.0	10.7	11.3	11.0	10.0	.9	2.3	2.6

Spain	254	7.9	44.7	4.3	5.5	4.7	2.6	2.8	5.6	.5	1.3	1.0
Sweden	1,271	21.7	17.1	.7	.6	.6	.5	.6	.6	2.7	.5	.2
Switzerland	348	17.7	18.5	1.0	.7	.7	.7	.8	.8	.7	.6	.2
U.S.S.R.[1] [4]	3,367	.6	2.3	.4	.9	.9	4.7	7.4	5.4	7.0	.1	.7
Yugoslavia	111	8.2	20.4	2.8	5.2	5.0	2.9	2.3	2.3	.2	.6	.9
Other Europe	304	10.8	9.2	.6	1.9	1.8	1.3	2.0	2.0	.6	.3	.4
Asia	2,573	153.3	427.8	116.0	120.0	127.0	129.2	146.7	150.8	5.4	12.9	31.7
China[5]	510	9.7	34.8	8.5	9.2	10.0	9.2	9.9	12.5	1.0	1.0	2.4
Hong Kong	[6] 169	15.5	75.0	10.9	10.3	10.7	12.5	13.7	12.3	.4	2.3	2.8
India	140	2.0	27.2	15.6	12.0	11.7	14.3	16.1	16.8	.3	.8	3.5
Iran	[6] 33	3.4	10.3	2.9	2.9	2.5	2.2	2.6	4.2	.1	.3	.7
Israel	[6] 80	25.5	29.6	3.0	2.9	2.9	3.5	5.2	4.4	.2	.9	.8
Japan	400	46.3	40.0	5.0	6.1	5.4	4.8	4.8	4.5	.8	1.2	1.3
Jordan	[6] 34	5.8	11.7	2.4	2.1	2.5	2.3	2.4	2.9	.1	.3	.6
Korea	[6] 211	6.2	34.5	18.1	22.3	27.5	28.1	30.6	30.7	.4	1.0	6.1
Lebanon	[6] 46	4.5	15.2	3.0	2.6	3.0	4.0	5.0	5.5	.1	.5	.9
Philippines	[7] 343	19.3	98.4	28.7	30.2	32.5	31.3	36.8	38.5	.7	3.0	8.1
Turkey	384	3.5	10.1	1.5	1.4	1.4	1.1	1.0	1.0	.8	.3	.3
Vietnam	[6] 26	2.7	4.2	3.4	4.5	3.1	2.7	2.4	3.4	.1	.1	.8
Other Asia	197	9.0	36.7	13.0	13.5	13.8	13.2	16.2	14.1	.4	1.2	3.4
America	8,740	996.9	1,716.4	173.2	179.6	178.8	174.7	169.2	223.2	18.2	51.7	45.4
Argentina	[9] 89	19.5	49.7	2.5	2.9	2.9	2.8	2.7	3.1	.2	1.5	.7
Brazil	[9] 55	13.8	29.3	1.8	1.8	1.6	1.4	1.4	1.9	.1	.9	.4
Canada	4,077	378.0	413.3	18.6	14.8	12.3	11.2	11.4	18.0	8.5	12.4	3.9
Colombia	[9] 133	18.0	72.0	5.2	5.3	5.9	6.4	5.7	8.2	.3	2.2	1.5
Cuba	[10] 490	78.9	208.5	19.9	22.5	17.4	25.6	28.4	66.1	1.0	6.3	7.2
Dominican Rep.	[9] 194	9.9	93.3	10.8	14.0	15.7	14.1	12.4	11.6	.4	2.8	3.2
Ecuador	[9] 80	9.8	36.8	4.4	4.2	4.8	4.7	4.5	5.2	.2	1.1	1.2
El Salvador	[9] 38	5.9	15.0	2.0	2.0	2.3	2.4	2.4	4.4	.1	.4	.6
Guatemala	[9] 36	4.7	15.9	1.7	1.8	1.6	1.9	2.0	3.7	.1	.5	.5
Haiti	[10] 76	4.4	34.5	5.5	4.6	3.8	5.0	5.3	5.2	.1	1.0	1.3

TABLE 3

(Continued)

Immigrants, by Country of Last Permanent Residence: 1820 to 1977

[In thousands, except percent. For years ending June 30 except, beginning 1977, ending September 30. For definition of immigrants, see text, pp. 83–84. Data prior to 1906 refer to country from which aliens came. Because of boundary changes and changes in list of countries separately reported, data for certain countries not comparable throughout. See also *Historical Statistics, Colonial Times to 1970,* series C 89–119]

Country	1820–1977, total	1951–1960, total	1961–1970, total	1972	1973	1974	1975	1976	1977	Percent		
										1820–1977	1961–1970	1971–1977
Honduras	[9] 31	6.0	15.7	1.0	1.4	1.4	1.4	1.3	1.6	.1	.5	.3
Mexico	2,015	299.8	453.9	64.2	70.4	71.9	62.6	58.4	44.6	4.2	13.7	15.1
Panama	[9] 43	11.7	19.4	1.6	1.7	1.7	1.7	1.8	2.5	.1	.6	.5
Peru	[9] 42	7.4	19.1	1.5	1.8	2.0	2.3	2.6	3.9	.1	.6	.6
West Indies	684	29.8	133.9	24.2	21.6	24.4	22.3	19.6	27.1	1.4	4.0	5.9
Other America	657	99.2	106.2	8.3	8.8	9.1	8.9	9.3	16.1	1.3	3.2	2.5
Africa	119	14.1	29.0	5.5	5.5	5.2	5.9	5.7	9.6	.3	.9	1.5
Australia and New Zealand ...	116	11.5	19.6	2.6	2.5	2.0	1.8	2.1	2.5	.2	.6	.6
All other	304	14.0	5.7	1.2	1.3	1.4	1.8	1.9	2.2	.6	.2	.4

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[1] 1938-1945, Austria included with Germany; 1899-1919, Poland included with Austria-Hungary, Germany, and U.S.S.R. [2] Beginning 1952, includes data for United Kingdom not specified, formerly included with "Other Europe." [3] Comprises Eire and Northern Ireland. [4] Europe and Asia. [5] Beginning 1957, includes Taiwan. [6] Prior to 1951, included with "Other Asia." [7] Prior to 1951, Philippines included with "All other." [8] Prior to 1953, data for Vietnam not available. [9] Prior to 1951, included with "Other America." [10] Prior to 1951, included with "West Indies."

Source: U.S. Immigration and Naturalization Service, *Annual Report.*

perceive that they cannot belong to the group of immigrants who really belong here. We shall develop this point further in the next section. Thus, those Asian immigrants who arrive here fail to perceive that they need to be enumerated in the United States census. It has been suggested further that the smaller the size of a minority group in a given population, the larger the rate of underenumeration is likely to be for that group. If this hypothesis was found to be "true," the undercount rate for the APA in the 1970 census, which constituted some 1 percent of the total population, would be far higher than the undercount rate for blacks who constituted the largest minority group. It has been argued elsewhere (9) that white as well as black Americans must share their responsibility in regard to this smallest minority group. There is a suspicion amongst the Asian Americans that the official majority (white), as well as the official minority (black), have no way of fully appreciating the problems of this smallest of all minority groups.

(b) The 1965 Immigration and Naturalization Act:

The 1965 Immigration and Naturalization Act finally abolished the archaic "quota" system. This enabled a larger inflow of immigrants from Asia. The 1970 census enumeration could not have included them (tables 3-8).

(c) The 1970 census had specific enumeration for immigrants from China, Japan, Korea, and the Philippines, and immigrants from other East Asian countries were a "projection" from the pool "others."

(d) Finally, immigrants from the Indian subcontinent countries were not considered as Asian Americans until recently. They remained at best an annotated footnote to the category "white." As late as 1976, they were reclassified as Asian Americans. From various estimates based on projections from the 1970 census and the recent immigration figures, this group consists of approximately a third of a million people.

(e) The recent immigration from Vietnam under historical circumstances will further add to the size of the APA population.

There is no firm estimate of the APA population, and the best guess is that the 1980 census will show the number to be closer to the 4 million mark, approximately 2 percent of the population.

1.3 The Size of the APA Labor Force

The 1970 census tabulations show (tables 9 and 10) that as high as 63.8 percent of Japanese, Chinese, and Filipino Americans participated in the labor force. Indeed, there is a very high labor force participation rate for this group as reported by various researchers. If the above rate is accepted as a benchmark and if the current base population is 3 million, the APA labor force size can be estimated at 1.9 million. It is widely believed that the number is more than a million and others

TABLE 4

Immigrants, by Country of Birth: 1951 to 1977

[In thousands. For years ending June 30 except, beginning 1977, ending September 30. For definition of immigrants, see text, pp. 83-84]

Country of Birth	1951-1960, total	1961-1970, total	1971-1975, total	1976	1977
All countries	2,515.5	3,321.7	1,936.3	398.6	462.3
Europe [1]	1,492.2	1,238.6	434.6	72.4	70.0
Austria	29.7	13.7	2.6	.3	.4
Belgium	12.9	8.5	1.9	.4	.4
Czechoslovakia	28.8	21.4	6.3	.6	.6
Denmark	13.7	11.8	2.3	.4	.4
Finland	6.7	5.8	1.8	.3	.3
France	38.0	34.3	8.8	1.5	1.6
Germany	345.5	200.0	32.5	5.8	6.4
Greece	48.4	90.2	58.5	8.4	7.8
Hungary	64.5	17.3	7.1	.9	.9
Ireland	64.4	42.4	8.3	1.2	1.2
Italy	188.0	206.7	93.2	8.4	7.5
Netherlands	47.2	27.8	5.0	.9	1.0
Norway	24.7	16.4	2.1	.3	.3
Poland	128.0	73.3	20.5	3.8	4.0
Asia [1]	157.1	445.3	611.8	149.9	157.8
China [2]	32.7	96.7	85.6	18.8	19.8
Hong Kong	3.1	23.6	21.5	5.8	5.6
India	3.1	31.2	72.9	17.5	18.6
Japan	44.7	38.5	23.8	4.3	4.2
Jordan	5.1	14.0	13.2	2.6	2.5
Korea	7.0	35.8	112.5	30.8	30.9
Philippines	18.1	101.6	153.3	37.3	39.1
Vietnam	2.0	4.6	19.3	3.0	4.6
North America [1]	769.1	1,351.1	735.4	142.3	187.3
Canada	274.9	286.7	47.8	7.6	12.7
Mexico	319.3	443.3	318.1	57.9	44.0
West Indies [1]	122.8	519.5	324.7	68.8	114.0
Cuba	78.3	256.8	110.7	29.2	69.7
Dominican Republic	9.8	94.1	67.1	12.5	11.7
Jamaica	8.7	71.0	61.5	9.0	11.5
Central America	44.6	97.7	44.5	9.9	16.5

Portugal	20.4	79.3	55.9	10.5	9.7
Romania	17.4	14.9	7.3	2.2	2.0
Spain	10.7	30.5	18.5	2.3	2.5
Sweden	18.9	16.7	2.9	.5	.6
Switzerland	17.2	16.3	3.1	.6	.6
U. Kingdom	208.9	230.5	53.0	11.4	12.5
U.S.S.R.	46.5	15.7	9.1	8.2	5.7
Yugoslavia	58.7	46.2	28.9	2.8	2.8
South America[1]	72.2	228.3	105.7	22.7	32.9
Argentina	14.3	42.1	10.1	2.3	2.8
Brazil	8.9	20.5	5.9	1.0	1.5
Colombia	17.6	70.3	29.1	5.7	8.3
Ecuador	9.5	37.0	23.0	4.5	5.3
Africa	16.6	39.3	32.9	7.7	10.2
Australia	4.6	9.8	6.7	1.4	1.4
New Zealand	1.8	3.7	2.3	.4	.6
Other countries	1.9	5.7	6.9	1.8	2.1

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[1] Includes countries not shown separately. [2] Includes Taiwan.

Source: U.S. Immigration and Naturalization Service, *Annual Report*, and releases.

TABLE 6

Indochina Refugees, 1975 To 1977 and by Characteristics, 1975

[As of Dec. 31, except as noted. Includes only refugees resettled in U.S.]

Characteristics	Number (1,000)	Percent
Refugees, total, 1977	[1] 148.4	100.0
Refugees, total, 1976	144.1	100.0
Refugees, total, 1975	[2] 123.3	100.0
Male	67.5	54.7
Female	55.8	45.3
Age:		
Under 6 years	20.4	16.6
6-17 years	36.1	29.3
18-24 years	22.7	18.4
25-44 years	32.3	26.2
45-62 years	9.3	7.5
63 years and over	2.5	2.0
Occupation[3]	30.6	100.0
Medical professions	2.2	7.2
Professional, technical, and managerial	7.4	24.0
Clerical and sales	3.6	11.7
Occupation[2]—Continued		
Service	2.3	7.6
Farming, fishing, and forestry	1.5	4.9
Agricultural processing	.1	.4
Machine trades	2.7	8.7
Benchwork, assembly, repair	1.2	4.1
Structural and construction	2.0	6.6
Transportation, miscellaneous	5.2	16.9
Unknown	2.4	7.9
Educational level[4]	67.0	100.0
None	1.4	2.1
Elementary	12.0	17.9
Secondary	25.4	37.9
University and above	13.1	19.5
Unknown	15.1	22.6

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[1] As of Dec. 31, 1977, 54,794 were resettled in other countries. [2] Covers period from April 18, 1975, to Dec. 10, 1975. [3] For heads of households. [4] For persons 18 years old and over.

Source: 1976 and 1977, U.S. Dept. of Health, Education, and Welfare, Task Force for Indochina, *Report to the Congress;* 1975, U.S. Dept. of State, Interagency Task Force for Indochina, *Report to the Congress.*

TABLE 7

Aliens Reporting Under Alien Address Program: 1960 to 1977

[In thousands, except percent. All aliens in the United States on January 1 are required to report their addreses to the Department of Justice in January, except foreign government officials and their dependents, representatives to international organizations, and, for 1960, Mexican agricultural workers]

Nationality	1960	1970	1976	1977	
				Number	Percent
Total	2,949	4,247	4,776	4,964	100.0
Canada	295	428	344	337	6.8
China[1]	48	107	133	138	2.8
Colombia	12	59	68	68	1.4
Cuba	63	433	399	374	7.5
Dominican Rep	(NA)	72	90	97	2.0
Ecuador	6	31	44	46	.9
France	35	47	37	38	.8
Germany	263	229	171	171	3.4
Greece	49	73	77	73	1.5
India	10	42	98	109	2.2
Ireland	68	52	32	31	.6
Italy	257	247	210	203	4.1
Jamaica	(NA)	60	79	64	1.3
Japan	72	82	99	102	2.0
Korea	10	31	121	143	2.9
Mexico	510	734	910	963	19.4
Netherlands	40	48	37	38	.8
Philippines	61	125	212	226	4.6
Poland	167	124	89	86	1.7
Portugal	32	81	118	123	2.5
Trinidad and Tobago	(NA)	19	33	31	.6
United Kingdom	227	330	307	319	6.4
Vietnam	(NA)	4	120	125	2.5
Yugoslavia	51	43	43	41	.8
All other	673	746	905	1,018	20.5

NA Not available. [1] Includes Taiwan.

TABLE 8

Aliens Naturalized, by Country of Former Allegiance, and by State of Residence: 1970 to 1977

[For years ending June 30 except, beginning 1977, ending September 30. Includes U.S. outlying areas. See also *Historical Statistics, Colonial Times to 1970*, series C 169–179]

Country of former allegiance	1970	1975	1977 Number	1977 Percent
Total	110,399	141,537	159,873	100.0
Canada	6,340	3,548	3,759	2.4
Central America [1]	2,480	2,773	3,094	1.9
China [2]	3,099	9,683	11,143	7.0
Colombia	970	1,699	2,029	1.3
Czechoslovakia	506	1,738	1,438	.9
Egypt	377	1,988	1,883	1.2
Germany	10,067	5,187	4,856	3.0
Greece	2,906	6,647	6,151	3.9
India	325	2,720	5,574	3.5
Italy	7,892	8,798	7,891	4.9
Israel	1,516	1,844	1,548	1.0
Korea	1,687	6,007	11,987	7.5
Mexico	6,195	5,781	6,301	3.9
Philippines	5,469	15,330	16,145	10.1
Poland	3,426	3,069	2,768	1.7
Portugal	1,374	3,728	3,739	2.3
United Kingdom [3]	7,549	8,532	9,345	5.9
Vietnam	282	1,369	1,412	.9
West Indies [1]	22,675	22,692	29,931	18.7
Cuba	20,888	15,546	20,506	12.8
Dominican Rep	538	1,518	1,904	1.2
Haiti	433	1,966	1,870	1.2
Jamaica	479	2,152	3,849	2.4
Other West Indies	337	1,510	1,802	1.1
Yugoslavia	1,725	3,273	2,447	1.5
Other	23,539	25,131	26,432	16.5

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[1] Independent countries. [2] Includes Taiwan.

TABLE 9

Asian[a] Population by National Origin, 1970

	Japanese	Chinese	Filipino	Total Millions
Population	588,324	431,583	336,731	1.357
% of U.S.	(.29%)	(.21%)	(.17%)	(.67%)
Foreign born %	20.8	47.3	53.1	
16 years old or over	438,954	308,905	226,480	.974
Total in the labor force 16 years old and over	275,145	191,751	154,947	.622
(% of 16 years old or over)	(62.7%)	(62.1%)	(68.4%)	(63.8%)
Total Employed	263,972	183,562	131,555	.579
(% of labor force)	(95.9)	(95.7)	(84.9)	(93.1)
Median school years	12.5	12.4	12.2	12.37
No. of families	133,927	94,931	71,326	
Mean family size	3.36	3.98	4.24	3.76
Median income per family	$12,515	$10,610	$10,331	$11,152
% of families below poverty line	6.4	10.3	11.5	8.8

Source: U.S. Census of Population, 1970. [a]excludes other Asians

Acknowledgement—Dr. K. Marwah

suggest that it may be closer to 1.5 million. But any firm figure is lacking. Given any of the above estimates, the APA labor force is higher than 1 percent of the Nation's current labor force.

1.4 If information about the APA population and the related labor force has been sketchy, the problem is much more acute with respect to the Pacific Islanders, and the best one can hope for is progress as the 1980 census results begin to emerge.

II. Myths

2.1 Asian Americans have had no history of disadvantage. Blacks have a history, the grim history of slavery and lynching. The natives of North America lost the war and their existence is now threatened. Hispanic Americans have a history of difficult immigration process via exploited, low-paid jobs. Women have institutional handicaps.

The Asian Americans are perceived to have had their voyages to America the easy way. **This is far from true.**

The truth is the 1917 Asian Exclusion Act, and the closing of the gates to the immigrants from Afghanistan to Korea—the "forbidden" Asia.

The truth is restricted immigration quotas. It has been argued (10) elsewhere that we do not need to indulge in analyzing the relative intensities of disadvantages and discrimination due to "slave" labor,

TABLE 10

Employment Characteristics of Ethnic Groups, 1970

	Total	White	Black	Spanish origin	Japanese	Chinese	Filipinos	Korean
Unemployment rate, 16 years & over								
male	3.8	3.6	6.1	5.5	2.0	3.0	4.7	3.6
female	5.3	5.0	7.8	8.0	3.0	3.7	4.7	5.4
Weeks worked in 1969, 16 years & over								
male 50–52	67.0	68.0	57.8	61.6	70.9	61.2	60.9	
male 27–49	19.9	19.1	27.4	25.1	16.5	21.8	25.1	
male –26	13.1	12.1	14.8	13.3	12.7	17.0	14.0	
female 50–52	43.5	43.7	42.2	39.3	52.3	41.9	42.9	
female 27–49	28.0	27.5	31.8	29.6	25.0	30.4	30.3	
female –26	28.5	28.8	26.0	31.1	22.7	27.6	26.7	
Income below the poverty line								
persons	13.6	10.8	34.6	24.4	7.5	13.3	13.7	
families	11.6	8.7	25.1	19.4	6.4	10.3	11.5	
Median income of persons, 16 years and over								
male			4158	5217	7574	5223	5019	6435
female			2041	2313	3236	2686	3513	2741

Source: *Census of Population,* 1970, volume 2-1B, table 4; 1C, table 7; 1G, tables 4, 7, 19, 22, 23, 34, 37, 39, 49; 6A, table 1; 9A, table 1.

Acknowledgement—Dr. K. Sato

"cheap" labor, "defeated" labor, and "forbidden" labor. The disadvantages of "nonentry" and/or "restricted entry" are real, and any attempt to deny history is no way to approach the truth.

2.2 If restriction and denial of entry are seen as conservative practices, the liberals have their own myths, too. They are the architects of the phrase "brain drain." This is indeed a myth, however lofty and liberal its connotations may be. The new immigrants from Asian countries are often seen as "brain drain" and a loss to the economic development of the countries of their origin. It needs "two blades of a pair of scissors"—supply and demand(34)—for economic value of an input to be determined. If there is plenty of supply and no demand, the "brain" is useless and reduced to a noneconomic input. The "brain drain" is at best a slogan to reestablish the Ricardian theory of free mobility of goods but not of factors of production. It is no longer true for capital or for labor.

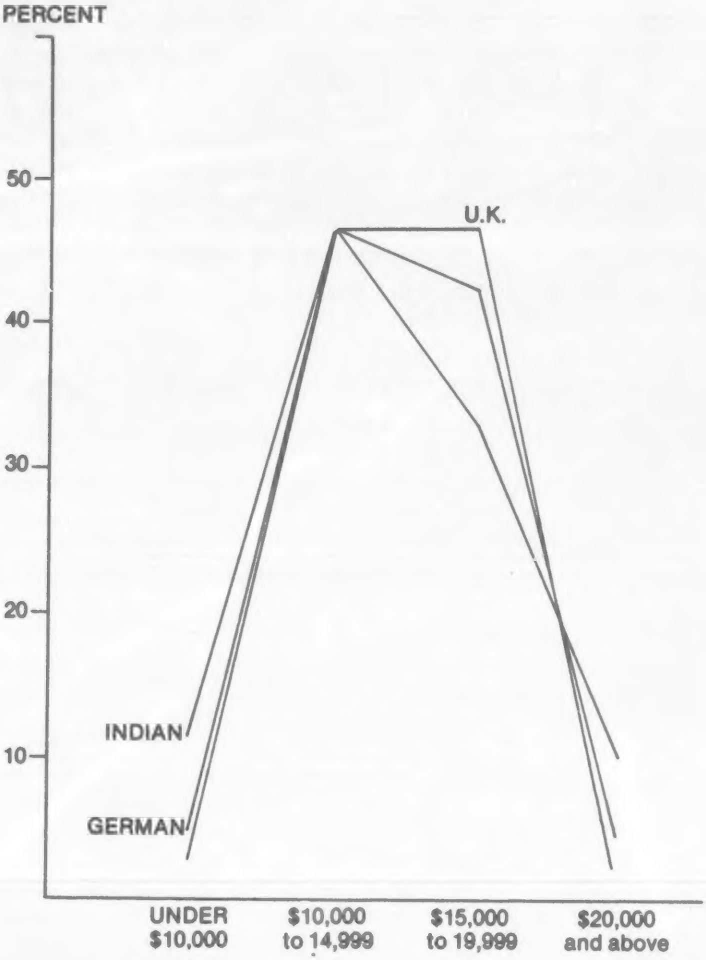
In today's fast moving interdependent world, both labor and capital are internationally mobile and such mobility has contributed to the greater prosperity of the world as a whole. Even for the Asian countries, the so-called "brain drain" can have an economically positive effect, if the European nations' experiences in terms of historic "brain drain" from within their own boundaries are indicative. The world as a whole would have been a poorer place to live if successive rounds of emigration from Europe had never taken place.

2.3 Asian Americans have it made. The 1970 census (tables 9 and 10) tabulations establish that the median family incomes of the three groups, the Chinese, the Japanese, and the Filipinos, compare favorably with the national family income median. Indeed, these groups are seen to be doing better. There exists a recent "quick" study somewhere in the State Department which draws similar conclusions for the Americans of Asian Indian heritage.

Yuan-li Wu writes (55), "The large number of poor Chinese, especially in the Chinatowns, have somehow escaped the full attention of those concerned with the plight of minorities. These Chinese Americans have managed to survive through a high participation rate in the labor force. According to the 1970 census, 59 percent of Chinese American families had two or more income earners, which compared with 51 percent for White families." Betty Lee Sung (48) concludes: "The Chinese family median income is higher than the national average, but the figures in themselves are deceptive." She proceeds to add, "The substantially lower personal income figures reveal a more accurate measure." Mariano (33) argues:

> At first glance, aggregate data from the 1970 census may indicate that Asian Americans are well-off in terms of income, employ-

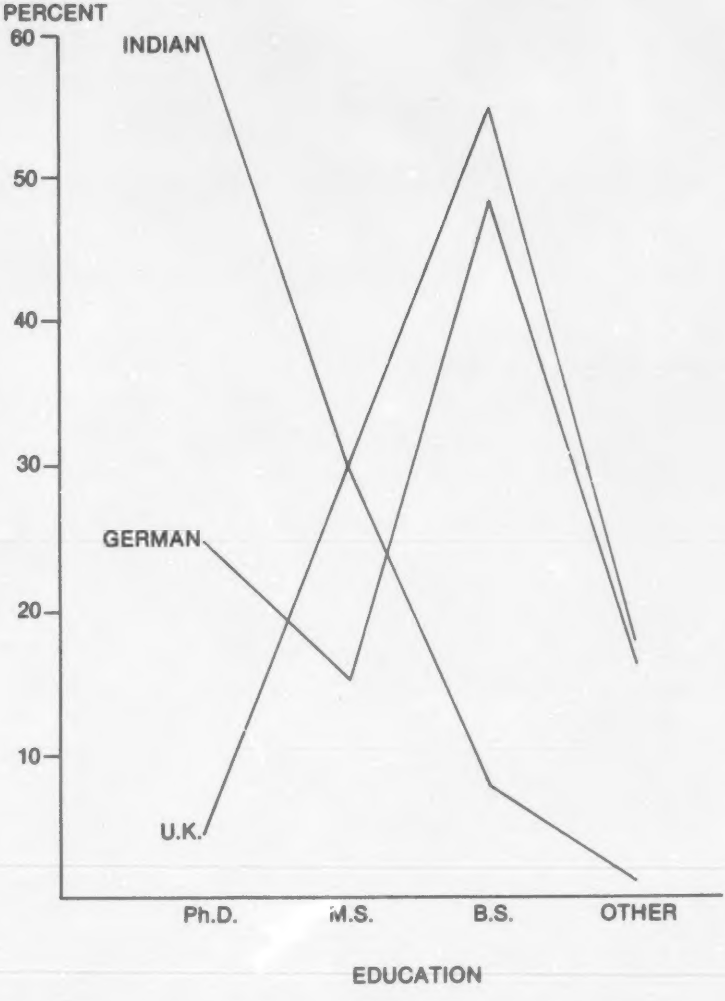
TABLE 11



(Source: NSF Report 73-302)

Acknowledgement—Dr. R. Chaddha

TABLE 12

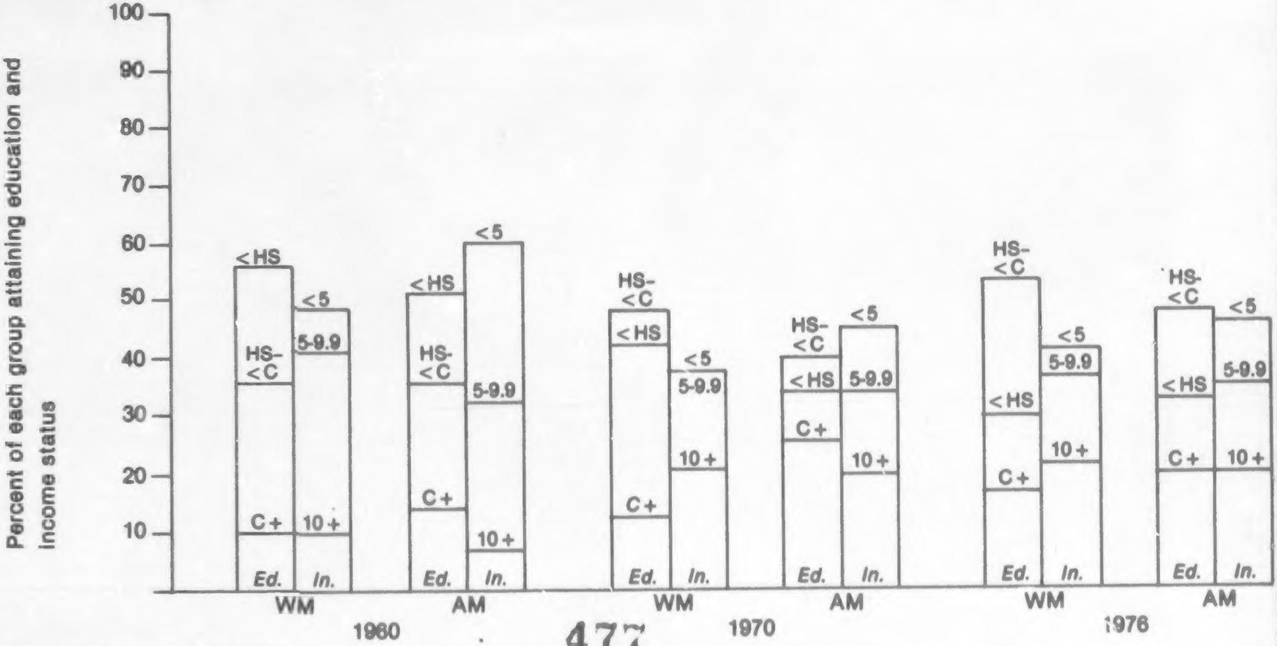


(Source: NSF Report 73-302)
Acknowledgement—Dr. R. Chaddha

TABLE 13

Education v. Income

White v. Asian Males Area: Nation Age: 16–64

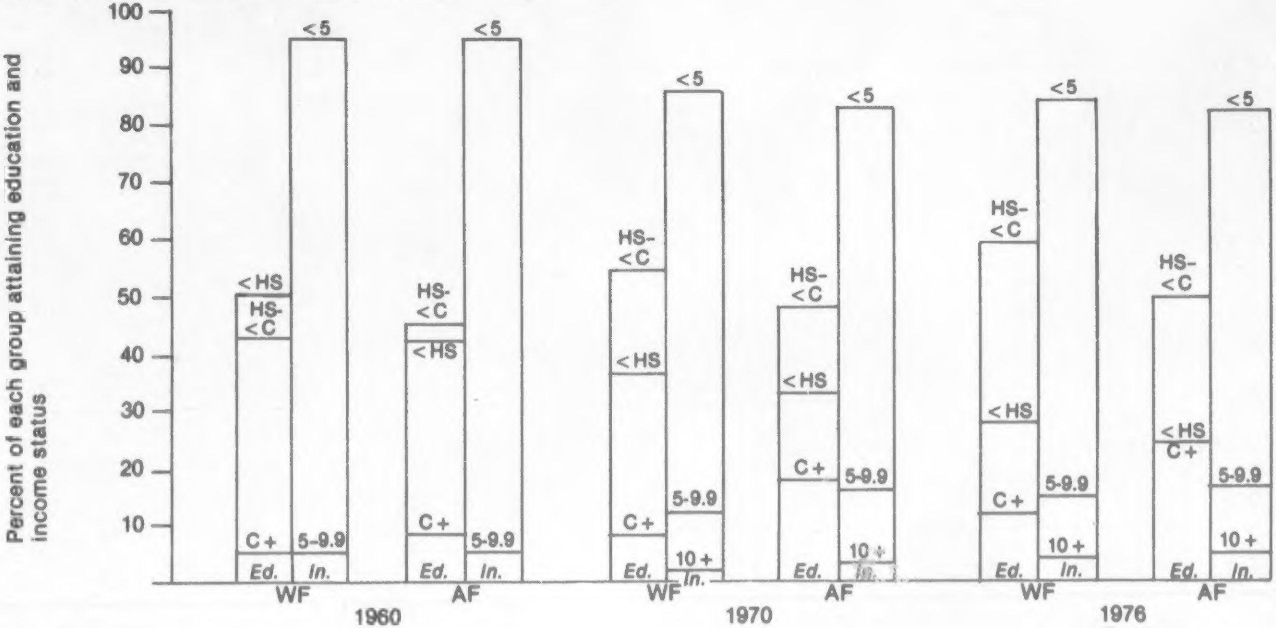


Acknowledgement—Dr. T. Sen

TABLE 14

Education v. Income

White v. Asian Females   Area: Nation   Age: 16-64



Acknowledgement—Dr. T. Sen

> ment, education, and return to schooling. However, appropriate adjustments should be introduced for the presence of multiple workers in Asian American families as well as for geographic regions since most Asian/Pacific Americans are located in high cost-of-living areas in the U.S."

Also, a more relevant comparison is with non-Hispanic whites than with the overall nationwide averages since "disadvantaged groups in the overall population will tend to lower national averages and thereby inflate the status of Asians." Mariano cites "Filipino and Chinese men are no better off than black men with regard to median incomes in SMSAs such as Los Angeles, San Francisco, New York, Chicago, and Honolulu where there is a high concentration of Asian Americans." R.L. Chaddha (tables 11 and 12) presents evidence, based on foreign scientists' data collected by the National Science Foundation, that, corrected for years of schooling, foreign scientists immigrating from Europe, compared with their peers immigrating here from Asia, (i) make relatively higher average earnings, and (ii) enjoy a more rapid rate of career advancement. Sato (table 15) and Sen (tables 13 and 14) independently present evidence that school year adjustments may reveal a relatively low earnings profile for Asian/Pacific Americans.

2.4 Other arguments for an upward bias in the 1970 tabulations:

(a) the general undercount, the magnitude of which Betty Lee Sung projects for the Chinese as high as 20 to 25 percent, left the disadvantaged segment unrepresented in the census profile;

(b) native-born, English speaking respond to the census while new immigrants with serious language handicaps fail to respond. Indeed, these unenumerated remain at the bottom of the earnings profile;

(c) apprehension about an immigration crackdown motivates many poor Asians to report nonexistent "incomes," and the true state of unemployment remains hidden;

(d) the state of underemployment is very serious. Jobs in family business are often contributing factors towards inflating family median income. The discrepancy between relatively high family median income and the relatively low personal income can be explained by such phenomena;

(e) general lack of perception—a sense of resignation to uncertainty—results in the poorer segment of Asian Americans being left out of the statistics. This is so because of the lack of decisionmaking power. For the Asian poor, there is no power center to look up to and, therefore, there is no urge to record their unemployment/underemployment. The only way they could make it is to be successful and if they have not made it, the option is to be left out.

TABLE 15

Years of school completed, 25 years and over, in 1970

		Native of native parents							
	Total	White	Black	Amer. Indian	Others	Japanese	Chinese	Filipinos	Korean
No school years completed	1.6	0.9	3.3	7.8	2.5	1.8	11.1	5.6	2.8
Median years completed	12.1	12.2	9.7	9.9	12.2	12.5	12.4	12.2	12.9
% High School graduated	52.4	57.1	31.0	33.5	56.2	68.8	57.8	54.7	71.1
% College graduated	10.6	11.8	4.2	3.5	12.6	15.9	25.7	27.5	36.3

Source: *Census of Population,* 1970, volume 2-1G, table 3, 18, 33, 48; volume 2-5B, table 1.

TABLE 16

Growth of Korean Immigrants to the United States
1966–1976
(Year ending June 30)

Years	**Korea** Number	**Korea** 1966 = 100%	Asia	World	**Korean Immigrants as % of** Asia (%)	**Korean Immigrants as % of** World (%)
1966	2,492	(100%)	41,432	323,040	6.0%	0.8%
1967	3,956	(158.7)	61,446	361,972	6.4%	1.1%
1968	3,811	(152.9)	58,989	454,448	6.5%	1.1%
1969	6,045	(242.6)	75,679	358,579	8.0%	1.7%
1970	9,314	(373.8)	94,883	373,326	9.8%	2.5%
1971	14,297	(573.7)	103,461	370,478	13.8	4.7%
1972	18,876	(757.5)	121,058	384,685	15.6	4.9%
1973	22,930	(920.1)	124,160	400,063	18.5	5.7
1974	28,028	(1124.7)	130,662	394,861	21.5	7.1
1975	28,362	(1138.1)	132,469	386,194	21.4	7.3
1976	30,803	(1236.1)	149,881	398,613	20.6	7.7
1966–1967 Total	168,914		1,094,120	4,206,259	15.4	4.0

Source: U.S. Immigration and Naturalization Service, Annual Reports, 1966-76.
Acknowledgement—Dr. J. Chung

Thus, the family median income is based on the "success-stories" to the exclusion of those who have failed;

(f) finally, the census income profile is based on sampling (20–25 percent) and given the serious undercount, the bias of the estimates for the family median incomes reported may be larger than generally acceptable;

(g) jobs and the "odd" job need to be distinguished. The "odd" job is a code name for a state of serious underemployment. Many immigrants from Asian countries with advanced schooling have been known to be working as night security guards and/or as messenger boys in corporate houses. Such a situation can develop if and only if there is no job in the prime occupational field of choice for the candidate.

2.5 The myth that Asian Americans have it made has been persistent, and until very recently, there has been no investigation into the reality of the situation. That Asian Americans have suffered no disadvantage and that the 1970 census tabulations show their relatively high family median income to be relatively high are signs which continue to lend strong support to the myth of Asian American success. It is argued here that on both counts the rest of America has erred.

The persistence of myth can still find support from two other sources: first, the quick facile studies by many social scientists who have used limited data base and have told their stories of Asian success. Gujarati's findings (19) drew widespread criticism because of their data base, which was too much aggregative and heavily biased upward. It is perfectly logical to compare median family income of two comparable groups, say a group of Asian immigrant physicians and a group of native-born white physicians, adjusted for years of practice and schooling. It is wrong to compare a select immigrant group with the national average measure which is heavily deflated by the inclusion of various "disadvantaged" groups of minorities. Mariano (33) has argued this point. Chaddha (4) reported a study, based on a cross section random sample (n=300) that there exists perception of discrimination amongst professional Asian Indian immigrants. A similar finding about the Asian Indian immigrants was reported by Elkhanialy and Nicholas (13). Another study by Mohapatra (37) based itself on a data base drawn from "who is who amongst Indian immigrants" type listings. Obviously, such directories exclude who is not "anybody." Those who have not made it—they remain left out of the data base.

The second group of scholars approach the problem very differently and often without any well-defined framework, and thus draw illusory conclusions. For example, it is an absurd approach, to say the least, when a scholar ventures to compare the earnings profile of Asian immigrants in the United States with what they would have earned should they have stayed back in Asia.

2.5 Odd Jobs are not Jobs

Stanley Lebergott (29) cites the statistic that in 1969, 6.4 percent of Japanese American families were in poverty compared to 8.6 percent of the white families. This may create a myth about the Japanese Americans' economic profile. One wonders if that could be considered a misuse of statistics. The relative economic affluence of Jewish Americans cannot disprove the history of discrimination against them. The absence of employment discrimination against Japanese Americans remains to be proved (22). The work ethics of Asian Americans may encourage them to accept a job, but not necessarily the one that would match the individuals' backgrounds.

Yuan-li Wu (55) cites yet another set of statistics to lend further support to the myth. Table A is data tabulation from the 1940 census.

TABLE A

Chinese American and U.S. Occupational Distribution, 1940

	Chinese	All U.S.
1. Service workers outside the household	30.9%	5.8%
2. Operatives, etc.	22.0	17.9
3. Managers, proprietors, etc. (nonfarm)	21.3	9.6

Source: 1940 U.S. Census.

Wu explains that the higher proportion in the category of managers and proprietors reflected the existence of many small Chinese retail establishments owned, in most cases, by poorly paid workers who aspired to be self-employed. The real situation is one of failure and resignation, not one of mythical success.

Joseph S. Chung (7) complains of lack of income data on Korean Americans. He points out that the median urban income of Koreans, according to the 1970 census tabulations, was lower than that of Japanese and Chinese Americans but slightly higher than that of Filipino Americans. In the case of rural median household income, the Korean income was the lowest among the Asian American groups. Against this state of a relatively unfavorable situation, the same census (1970) tabulation also projects that the Korean American income profile was roughly comparable to that of the U.S. population as a whole. This is a myth if the well-known fallacy of composition is not recognized to be real. Chung refers to a survey (52A) of 1972 (U.S. Bureau of the Census, *Minority-Owned Business: Asian Americans, American Indians and Others,* 1975) and makes the point that of a total of 1,201 business enterprises owned by Koreans, an overwhelming percentage is small business establishment. "The smallness of the Korean ethnic enterprise can be surmised by the fact that only 249 firms employed paid workers and that the average number of workers per firm was *six*. Average gross receipts per year were $64,839." Korean Americans are seen to be self-employed businessmen. The status of business seems to conceal a state of underemployment (for Korean immigration patterns, see table 16.)

III. The Reality

3.1 A differentiated labor market

There exists a differentiated segment of the American labor market. Immigrants of Asian/Pacific heritage are perceived to be different and distinguishable from other major components of the Nation's labor market. Even if they spoke English, and, indeed, immigrants from the Indian subcontinent countries are generally English speaking, they would be perceived distinguishable from the rest. This differentiation of the Asian/Pacific labor force is not based on language, or religion, or racial origin, or on any one single issue. It is a "mix" of many issues; it is a composite issue. It is indeed a matter of perception, based on their lack of shared experiences based on the Greco-Roman culture and the Judeo-Christian religion. It is an experience of being "excluded," being "restricted," and it has its roots in common historical experiences shared by the immigrants from Asian countries.

3.2 Economics of Discrimination

It is important to note that the differentiation is real and can be observed. Arthur Cecil Pigoul (40) discussed the concept of discrimination—and here is the Pigovian case of "third degree" discrimination. More recently, Edward Chamberlin (5) wrote on product differentiation and imperfection of the market. An Asian American is not considered either WHITE or BLACK—Brown or Dark are terms often introduced in description.

Given the above background, the employment profile of Asian/Pacific Americans must be studied in the context of a differentiated segment of the Nation's labor force. The issue is not whether they are more or less disadvantaged, or they are more or less differentiated, in comparison with other differentiated segments. The issue is that they belong to a differentiated segment of the labor force. If so, the scientific approach calls for objective research based on relevant facts. Should such investigations show that they are a "model" minority group, there will be a great deal to learn from such findings. If otherwise, appropriate policy measures can then be developed for combating income inequality due to market differentiation.

Thus, the issue is an economic one. Nevertheless, there exists not a single comprehensive study. An excellent survey of theories of racial discrimination is found in Marshal (35); the literature on the theories of discrimination is extensive (Notes 1). Marwah (36), in her survey, summarizes:

TABLE 17

Income Distributions for Chinese and White Men, 24-64, in California and in Hawaii in 1969

Income	California		Hawaii	
	Chinese	Whites	Chinese	Whites
None	1.6%	1.7%	2.4%	0.9%
$1-3,999	19.2	10.4	7.6	11.7
$4,000-6,999	24.2	12.2	11.8	17.1
$7,000-9,999	20.2	25.5	29.5	23.3
$10,000-14,999	22.2	31.2	28.9	24.2
$15,000-19,999	6.9	10.1	11.8	10.1
$20,000-24,999	2.1	3.6	4.7	6.1
$25,000-29,999	1.5	1.8	0.5	3.0
$30,000-49,999	1.5	2.5	1.9	3.0
$50,000 or more	0.4	0.9	0.9	0.8
Total	100.0	100.0	100.0	100.0
	(749)	(1,355)	(211)	(890)
Median Income:	$7,746	$10,018	$9,881	$9,639

Acknowledgement—Dr. B. Man

> The taste-based aversion models of Becker and Arrow and envy-malice models of Krueger and Alexis have followed the neo-classical traditions. . . . Bergman and Welch are similar to Becker's Model. The wage-differential dimension of discrimination is covered in the neo-classical economics under the human capital theory, a la. . .Becker, Ben-Porath, Mincer, and Rosen.

The literature extensively covers race and sex discriminations.

There is hardly any research encompassing the Asian/Pacific American labor force as such. Betty Lee Sung (48) and Yuan-li Wu (54) have studied the Chinese profile; Harry Kitano (24) has studied the Japanese American. There are several other recent studies. The limited data base in most studies has been responsible for their limited value.

3.3 The U.S. Bureau of the Census and No Reliable Estimates

The Census Bureau distributed tables 22 and 23 at the 1980 Census Advisory Committee for the Asian/Pacific Americans meeting held at Bureau headquarters on November 9, 1978. Schooley (44) presented the same tables at the Stanford workshop (August 20–25, 1978). Following the widespread criticism and concern expressed at the above advisory committee meeting, the U.S. Bureau of the Census has made the following official response (53):

> The Census Bureau is just beginning to implement research and make plans for a major redesign of the Current Population Survey (CPS). It is anticipated that the redesign will be fully operational in early 1984. As part of the research, we will investigate methods of increasing the reliability of Asian American and Pacific Islander data. We will also consider publishing data cumulated over 12–24 months.

The above presentation is a confirmation that there are no reliable estimates describing the profile of the APA employment status. The U.S. Bureau of the Census has upgraded its survey plans for the 1980 census, and is expected to yield an improved data base. The monthly current population survey (CPS), as is designed currently, cannot offer a reliable estimate for the group. An expanded sample and/or an accumulation of relevant data from successive monthly surveys, could be considered. An ad hoc survey on income and education conducted in the spring of 1976 by the U.S. Bureau of the Census for the National Center for Education Statistics (DHEW) could be yet another alternative provided the appropriation for funds is made available. The U.S. Bureau of the Census plans to expand its CPS survey at a future date and may then be able to obtain reliable estimates for the Asian/Pacific American employment profile. Given the small size of the given subpopulation and its uneven distribution across the Nation, designing the sampling technique at an economic cost will continue to be a difficult problem for the Bureau.

IV. The Issues

4.1 The Job Search

The issues of concern for the Asian/Pacific American labor market are many. First, finding the job is a problem. In a study of job search, Gidwani (15) reported that, using imaginary profiles of two rather identically comparable candidates, one with an Anglo-Saxon name and the matching one with an Asian Indian name, her survey of some 30 employers showed discrimination against the Asian-named applicant. Her imaginary candidates, girls as they were, carried identically comparable physical measures, as she reported. A similar exercise for Filipino Americans is known to exist. Shakespeare did not know that there is more in a name than he could dream of!

4.2 The Letters of Recommendation

Even when a candidate is successful in clearing the preliminary screening, the Asian-immigrant candidate suffers difficulties in obtaining comparable letters of recommendation. It is much more so for the recent immigrants who have not attended schools in this country. Immigrants from Europe are at a comparative advantage, first, because they have friends and relatives and acquaintances in churches and social clubs, and, secondly, because there is much greater traditional acceptance here of the values the immigrants from Europe bring with them.

4.3 The Less-Than-Competitive Offer

Since the Asian immigrant has no way of convincing his or her potential American employers that the school of plumbing he or she went to in the Asian country was no worse than the ones here and/or in Europe, the candidate usually fails to obtain a competitive bargain. At times, the Asian immigrant is induced to accept the less-than-competitive offer, lest any chance to "enter" into the American labor market vanishes or becomes delayed. The point is the key one. The "entry" or the "access" to the market is not free to this immigrant.

4.4 The Less-than-competitive Job

An Asian immigrant physican is not always perceived to be a physician, and it is at times attributed to the immigrant's medical education. The same is true for engineers, dentists, nurses, and may be true for priests, too. An investigation alone can establish the truth or otherwise. Until then, charges of bias and discrimination continue to persist.

4.5 The Career Advancement

The technical skill and professional aptitude need to be evaluated by peers. The process of peer evaluation cannot be free and open for the

Asian immigrant because there exist social barriers, perceived and/or real. This is perhaps less for the native-born ones of Asian heritage; perhaps less for those who have spouses who are native born, perhaps less for academic professionals at the university levels and/or for research scientists. Perhaps there is no exception, and the process of career advancement for the Asian immigrants, subject to constrained peer evaluation, remains slow. R. Chadda (4) in a study suggests similar findings, and Ishikawa (22) argues that underemployment rather than unemployment is the prime concern for Asian Americans. Indeed, delayed and/or blocked career advancement can surely result in serious underemployment and an aggravated loss of productivity.

4.6 The Cost of the Water-flow Model

Brij Khare (25) and Kazuo Sato (42) refer to the water-flow model and the resultant success by way of career advancement of immigrant groups, especially of some segments of Japanese Americans and Asian Indians, and they conclude by emphasizing the cost that follows from the sense of loss of identity. If the concept of "polyglot" has been rejected and if the concept of "pluralism" has been found to be optimal for the American system, the water-flow model of easier career advancement can be seen as further shifting the loss function, and, thus, as contributing to longrun loss of the productivity of a certain segment of the labor force of the Nation.

4.7 Sex Discrimination and Asian Women

Marwah (36) has argued at length the case of discrimination for Asian immigrant women in labor. The triminority and job discrimination provide a specific case study. Sex discrimination of jobs has been studied at length and has been extensively "measured" by various researchers (Notes 2), and we have referred to earlier works of Scott (43) and Strober (47). If so, it is not too difficult to extend the design of experiment to consider the case of job discrimination in relation to women, Asian, and foreign born—the triminority.

4.8 The Asian-Origin Physicians

Lanjewar (27A) notes that the foreign medical graduates (FMG) are a highly heterogenous group, and then concludes that FMGs should be encouraged to immigrate into the United States, "but we should certainly not exploit them or entice them to stay here to fill up unpopular jobs in underserved communities." A controlled experiment using a body of data, some 10,000 FMGs in the data bank of the American Medical Association, can be easily conducted to determine the "true" state of affairs.

4.9 Foreign Born

Bryan D. Man (31A) concludes an extensive study by emphasizing the impact of being foreign born. Using the Chinese data in the States

TABLE 18

Occupational Distributions for Men 25 to 64 years old, by Race and State, in 1960

Occupation	California Chinese[a] (1)	California Whites[b] (2)	Hawaii Chinese[a] (3)	Hawaii Whites[c] (4)
Professionals ...	18.8%	16.9%	18.3%	20.0%
Managers/ administrators	16.5	15.5	17.4	21.0
Sales	9.2	8.5	7.3	6.5
Clerical	8.8	7.1	14.2	6.5
Craftsmen	7.6	23.9	22.6	21.2
Operatives	12.6	15.5	9.0	11.3
Laborers	1.5	3.9	3.0	4.2
Service	22.0	5.4	6.9	5.3
Private household	1.1	0.0	0.0	0.0
Farmers	1.3	1.8	1.0	1.1
Farm laborers ...	0.6	1.5	0.3	2.9
Total	100.0 (22,586)	100.0 (2,565,867)	100.0 (8,365)	100.0 (25,359)

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[a] Source: U.S. Bureau of the Census. *U.S. Census of Population: 1960. Subject Reports. Nonwhite Population by Race.* Final Report PC(2)–1C, (1963: Table 40).

[b] Source: U.S. Bureau of the Census. *U.S. Census of Population: 1960. Vol I, Characteristics of the Population. Part 6, California*, (1968: Table 123); *Subject Reports. Persons of Spanish Surname.* Final Report PC(2)–1B, (1963: Table 8).

[c] Source: U.S. Bureau of the Census. *U.S. Census of Population: 1960. Vol. I, Characteristics of the Population. Part 13, Hawaii*, (1963: Table 123).

Acknowledgement—Dr. B. Man

of California and Hawaii, Man shows that for the Chinese American, the influence of race alone cannot be seen to relate to:

> the prevailing perception and conceptualization of race relations in America. The complex modifying effect nativity has upon the relationship between race and socioeconomic achievement suggests that immigrant status may be more significant, and race less significant, in the achievement process.

Man continues: "that the foreign-born Chinese achieve far less than do foreign-born Whites, however, indicates a more complex relationship among race, nativity and achievement. . . ."

The above analysis brings into focus a very important aspect of the study, for a great majority of Asian Americans are "foreign born" and first-generation immigrants (tables 17 and 18).

TABLE 19

Employment Status of Persons 16 Years and Older by Age and Sex*
(Weighted Percentages)

Age	Males			Females		
	Unweighted N	Employed	Not Employed	Unweighted N	Employed	Not Employed
Total	705	95.1	4.9	354	93.2	6.8
16–24 ..	217	95.2	4.8	113	93.1	6.9
25–34 ..	238	95.7	4.3	129	95.6	4.4
35–44 ..	140	97.5	2.5	81	96.7	3.3
45–over	110	90.6	9.4	31	73.3	26.7

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* Opportunity Systems, Inc., Survey V, July–August 1977

Acknowledgement—Dr. G. Hung

4.10 The Indochinese Americans

Gregory N.T. Hung (21) uses the INS data of some 114,140 refugees from Indochina and summarizes some of the socioeconomic characteristics. Hung, in the same paper refers to a quick survey and notes the labor force participation rate for this group of Asian Americans is as high as 66.5 percent, with 79.2 percent for men and 49.8 percent for women. Hung (table 19) then adds the following words of caution:

1. The statistics are based upon telephone interviews with which the Indochinese are not familiar.

2. Because of the stigma attached to unemployment, there is a tendency to exaggerate the employment situation.

3. The term "employment," as understood by the Indochinese, means having a job, any job.

Hung continues to suggest that a special survey based on specific data sources derived from refugee relief and rehabilitation agencies in the various nongovernmental groups alone can be expected to develop a meaningful employment/unemployment profile for this group. Indeed, given the historical situation, Hung's argument has merit.

4.11 Korean Americans and Absence of Any Study

Pointing to the absence of any comprehensive study for the Korean Americans' employment profile (there are some related studies for the

TABLE 20

Labor Force Status for White and Asian Males

	1960			1970			1976		
	E	U	NLF (%)	E	U	NLF (%)	E	U	NLF (%)
Age Group 16-19									
Whites	43	5	52	42	5	53	57	11	32
Asians	35	3	62	30	4	66	38	7	55
Age Group 20-24									
Whites	79	6	15	74	5	21	78	10	12
Asians	64	4	22	58	4	38	60	16	24

Thus, like other minority ethnic groups, Asian youth suffer from a much higher labor force nonparticipation (and by that I mean here both "unemployed" and "not in labor force" groups) than their white counterparts.

TABLE 21

(This table is available in Commission files and can be found in INS Annual Reports).

Acknowledgement—Dr. T. Sen

Chinese, Japanese, and Filipino Americans), Woo Bong Lee (28) states:

> Many Korean Americans encounter a variety of adverse factors in the American job market that could either cause or prolong unemployment and underemployment. Among these factors are: (i) appearance, (ii) language barriers, (iii) lack of American job experience and training, (iv) degrees and education which are not really accepted and recognized, (v) lack of American business experience and limited access to financial and managerial resources, (vi) discrimination and prejudice, (vii) limited mobility, (viii) socioeconomic and cultural background dissimilar to that of the dominant group, and (ix) other social and economic problems.

Lee then argues for an independent survey and an integrated study of Asian/Pacific Americans.

4.12 The State of Hawaii and Asian/Pacific Americans

Thomas Q. Gilson (16) describes the unique population composition of the State of Hawaii: "The only state in the Union where the majority of the population is Asian American by birth or ancestry." Even so, for the new immigrants, Gilson continues to state:

> On initial employment, organized efforts at acculturation, particularly in preparation for employment was found to be successful, both in an experimental program involving recent Filipino and Korean immigrants and in the Vietnamese program. . . .This type of service should be available to recent Samoan and Filipino immigrants."

TABLE 22

CV's for Monthly, Quarterly Average and Annual Average Estimates of Selected Characteristics from Current Population Survey for Asian/Pacific Americans, Total Population, Blacks, and Spanish: 1978

Characteristic	Asian/Pacific[2] Americans			Total[1] Population			Blacks[1]			Spanish[1]		
	Monthly Estimate CV%	Quarter Average Estimate CV%	Annual Average Estimate CV%	Monthly Estimate CV%	Quarterly Average Estimate CV%	Annual Average Estimate CV%	Monthly Estimate CV%	Quarterly Average Estimate CV%	Annual Average Estimate CV%	Monthly Estimate CV%	Quarterly Average Estimate CV%	Annual Average Estimate CV%
Total Population	5.2	4.5	3.3							3.4	3.0	2.4
Civilian Labor Force	4.0	3.5	2.6	0.2	0.2	0.2	0.8	0.7	0.5	3.5	3.3	2.2
Employment	4.1	3.6	2.7	0.2	0.2	0.2	1.0	0.9	0.7	3.5	3.3	2.2
Wholesale & Retail	8.6	7.5	5.3	0.9	0.8	0.6	3.8	3.3	2.5	5.4	4.8	3.1
Professional & Related Fields	9.3	8.5	7.0	1.2	1.1	0.9	4.9	4.3	3.2	7.9	6.7	4.2
Manufacturing	10.5	9.8	8.2	0.9	0.8	0.7	3.1	2.7	2.0	4.9	4.3	2.8
Durable Goods	15.2	14.1	11.9	1.2	1.1	0.9	4.3	3.8	2.8	6.5	5.6	3.4
Nondurable Goods	13.9	12.9	10.8	1.5	1.4	0.9	4.8	4.2	3.2	6.3	5.4	3.5
Agriculture, Forestry and Fishers	18.0	16.4	13.5	2.7	2.5	2.0	7.7	6.8	5.1	10.7	9.0	5.7
Unemployment Rate	19.0	15.6	10.0	1.9	1.4	0.9	3.7	2.9	1.8	6.7	4.5	3.4
Labor Force Part. Rate	1.8	1.6	1.2	0.3	0.3	0.2	0.8	0.7	0.6	1.1	0.9	0.6

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[1] The CV's for total population, Blacks and Spanish are based on estimates from the June 1978 CPS.

[2] The CV's for the Asian and Pacific American population are based on estimates which assume the same relationship between the Asian and Pacific American population in 1978 as in 1970. The CV's given are approximations to those which would be obtained if the data on the Asian and Pacific American populations were available from the CPS.

Acknowledgement—Margaret Schooley

TABLE 23

CV's of Certain Estimates from Current Population Survey Based on Time for Special Characteristics of Asian Pacific Americans, Total Population, Black, and Spanish: 1978

	Asian/Pacific Americans[2]				Total Pop.[1]	Blacks[1]	Spanish[1]
Characteristic	Monthly Estimate	March Double Sample Estimate	Two Year Average of Regular March Estimate	Two Year Average of March Double Sample Estimate	Monthly Estimate	Monthly Estimate	Monthly Estimate
Total Families	5.1	3.8	4.0	3.1	0.4	1.1	1.7
Total Households	4.4	3.3	3.5	2.6	0.3	0.9	2.1
Median Income							
Families	3.8	2.9	3.0	2.2	0.4	1.5	2.2
Households	3.8	2.8	2.9	2.2	0.4	1.2	2.1
Percent in Poverty							
Families	12.7	10.0	10.0	7.3	1.1	2.2	4.3
Persons	13.6	10.0	10.9	8.2	1.7	2.3	4.9
Percent High School Graduates	2.4	1.8	1.8	1.3	0.3	1.4	2.1

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[1] The CV's for the total population, Blacks and Spanish are based on estimates from the March 1977 supplement to the CPS.

[2] The CV's for the Asian and Pacific American population are based on estimates which assume the same relationship between the Asian and Pacific American population in 1976 as in 1970. The CV's given are approximations to those which would be obtained if the data on the Asian and Pacific American populations were available from the CPS.

Acknowledgement—Margaret Schooley

The issue of "nativity," to quote Bryan Man (31A), becomes pressing, and further research alone can determine the magnitude of the problem.

4.13 Asian Americans and American Academia

Suresh Desai (8), in a paper, dwells at length on the "structural" imperfections of the market referring to Asian Americans and the American academia. Drawing upon the "non-profit model of institutional behavior," Desai points to the relative discrimination to which Asian Americans are exposed even when their academic superiority and competitiveness remain unquestioned, and he attributes the situation to what their American peers perceive as "inferior" personal characteristics. The result, Desai concludes, is that their academic credentials shall remain "undervalued."

4.14 The Affirmative Action Policies: Seniority vis-a-vis Job Security

The latest Federal guidelines assert that the five-fold classification of the American labor force must not be seen to be based on race and shall not be used for any categorization of a group as a minority. Indeed, the term "minority" hardly ever appears in the official rules. However, an important purpose of such five-fold classification is to develop statistics for Federal reporting and one such reporting is for the affirmative action programs. This is a difficult relationship to comprehend; on the one hand, there is the concern for being "pure" in compilation of data, and, on the other hand, the same data body is being used for socioeconomic normative purposes which often are considered, at best, ad hoc reasoning.

In most official notifications, mention is made of blacks, Hispanics, and then the global term used is "other minorities." Often the local authorities argue that the Asian/Pacific Americans are not "minorities" for hiring and promotion, or, for that matter, for any affirmative action program. This is a situation of double jeopardy which involves "last in" and "first out." It would be proper not to have any categorization at all and continue to suffer from the dangerous illusion that all Americans—sex, race, and ethnicity notwithstanding—are equal. If not, there exists no case for the Federal, State, and local officials for not specifically mentioning Asian/Pacific Americans as an independent category of minorities.

In recent years, the situation has been confounded by the lack of uniformity of decisions at various administrative levels in regard to the status of Asian/Pacific Americans as a minority group. The U.S. Bureau of the Census in the U.S. Department of Commerce took the leadership in considering this group as a "minority," while others continue to debate. At times, even in the same Federal agency some sections consider them a "minority" while other sections refuse to treat them as such. A notable case is the OMBE in the Department of

TABLE 24

Age Distribution of Japanese Americans by Sex, 1970

Age	Total	Male	Female
0-14	23.6	26.1	21.4
15-24	16.3	17.4	15.3
25-34	13.7	13.1	14.2
35-44	17.9	14.2	21.1
45-54	14.3	14.8	13.8
55-64	6.2	6.8	5.7
65-74	4.7	4.4	5.0
75-	3.3	3.1	3.5

Source: *Census of Population*, 1970, volume 2-1G, table 2.
Acknowledgement—Dr. K. Sato

Commerce, and their explicit objection to considering this group as a "minority."

Asian/Pacific Americans should be considered as a "minority" not because they are anxious to get on the "bandwagon" and to reap the "benefits," as some have observed. They have a history of being discriminated against if one reads the history of "exclusion" and "restriction" practiced by the U.S. Immigration Service with care, and they continue to be culturally differentiated from the majority group, whites, and also from the other recognized minority groups, blacks, Hispanics, Natives of North America. Accordingly, they have limited access to the American labor market, and they must be considered as a "minority" for logical decisionmaking purposes.

4.15 Asian American Youth

Tapas K. Sen (table 20) points out that, not unlike other minority youth groups, Asian youth suffers from a much higher nonparticipation labor force rate than their white counterparts. Betty Lee Sung and Yuan-li Wu have referred to the "Chinatown youth gangs" and the related crimes.

4.16 Education and Earnings

Sen (45) and Chaddha (4) present preliminary evidence to show that for both males and females the average educational level is consistently higher for the Asian group. Sometimes, in the college and above category, Asians show twice as high a percentage as whites, when in the income category the picture is reversed. Indeed, earnings per school year, and/or earnings per education dollar, are likely to show Asian Americans to be discriminated against.

V. A Framework of Research

5.1 The Search for a Data Base

Barry Chiswick (6), in a paper, reported that the earnings profile of white immigrants from Eastern Europe provided no evidence of discrimination. Commenting on his finding, Martin Bronnfenbrenner seriously questioned the framework of research Chiswick adopted for his study. The issue is of prime concern, for it is the design of research which often becomes responsible for wrong conclusions from a given body of data.

The U.S. Bureau of the Census currently has no way of providing a reliable employment profile of Asian/Pacific Americans, as has been noted earlier. (Barry Chiswick, in a recent telephone conversation with this author, indicated that he has completed his analysis for this group by using the data base of the 1970 census, but he is not ready to report his findings.)

The pioneering works of Harry Kitano, Betty Lee Sung, Yuan-li Wu, and several others do not really address themselves to the specific issue, even though their works show great insight into the problems. The 1980 census, as the projected questionnaire indicates, will certainly be able to generate a large body of data for developing meaningful analysis for the employment profile of this segment of the American labor force. Even so, it will not be easy to generate a data base for this specific group for a comprehensive employment study since the long-form questionnaire, which alone will have the extensive coverage for information, will cover a limited population of this unevenly distributed subset of the Nation's population. In addition, the census data source will have inadequate information relative to immigration, and, thus a large section of the Asian/Pacific population who are recent immigrants and whose earnings profile may be affected by "place of birth" may remain uncovered by the census.

5.2 The Case for Using the INS Data Bank and Other Sources

A search of alternative data bases reveals the following information: Guillermina Jasso of the Immigration and Naturalization Service, in a recent presentation (23), suggested that the INS has developed a data base of several million new immigrants with identification of the country of origin of the immigrant. This is indeed a mine of information and can be utilized very meaningfully for a comprehensive study. This body of data can be used to test hypotheses (table 21):

(i) Immigrants from Europe and immigrants from Asia and their comparable profiles in terms of employment and underemployment, career advancement, and job security;

(ii) The recent immigrants from Asia and native-born Americans of Asian heritage and their comparable profile, as suggested by Bryan Man;

(iii) The INS data will enable us to "control" immigrants by years of school, language handicap, English language spoken by Asian as compared to the English language spoken by the European immigrants, the professional background;

(iv) The age-sex profile of immigrants from Europe with that of immigrants from Asia and the comparable earnings profiles.

Given the fact that immigration from Asian countries has increased in recent years, the INS data base will be of significant analytic value. In addition, it is well-known that a large number of Chinese Americans, even when they immigrated to this country many years ago, still continue to live off their "green" cards and refuse to become naturalized citizens; the INS data may be used to draw a special earnings profile for them. The INS data has one limitation in that it does not include Asian immigrants as soon as they become naturalized citizens. Furthermore, the INS data bank provides only names and addresses of thousands of Asian immigrants identified by their countries of origin, and it can be used only when an independent survey has been made of this "population" base.

5.3 The Need for Longitudinal Data (39)

The cross section data provide a snapshot at a given point of time. The Nation's labor market information system until recently consisted almost entirely of cross section data. These data, representing a snapshot of the population at a moment in time, yield a wealth of information on the levels of various characteristics and their incidence throughout the population. When compared over time, they are valuable indicators of trends and cyclical activity in the labor market. However, cross section data do not track individuals over time and, as a consequence, they provide little information about the dynamics of labor market activity. Longitudinal data, in contrast, yield a motion picture of the labor market by providing information on the same individuals at different points in time.

The INS data bank can be used to generate longitudinal data for studying the dynamics of the Asian/Pacific labor market in that the addressees in the INS data bank keep reporting to the Service in

January of every year. Indeed, the longitudinal data base can be generated in various ways, and a given data bank can be so organized.

5.4 Ishikawa (22) indicates that the Labor Department is planning to develop a data bank with identification for an unemployment insurance program. This body of data may be yet another source. Similarly, the CETA data and the EEOC data can be scrutinized for some aspects of the study. Several professional associations, American Medical Association, American Statistical Association, American Economic Association, have moved to collect data banks of their respective memberships with Asian/Pacific identifications. These bodies of data can be used for "controlled" experiments for developing comparable earnings profiles. Earnings of immigrant physicians from Asian countries need to be compared with those of native-born physicians, and also with those of immigrant physicians from European countries. The same is true for various other professional groups. Ishikawa (22) has discussed at length the loss function in its basic mathematical form should we underemploy a segment of the labor force.

5.5 An Estimable Model—Multivariate Analysis:

A rigorous quantitative study using mathematical specifications, which are estimable, can be undertaken. And there is no need to refer to well-known references in this regard. Elizabeth Scott (43) has done extensive study for sex discrimination and measurement, and she has identified some 27 explanatory variables. Myra Strober (47) has rightly rejected the "residual" approach in measuring sex discrimination on the job. She has argued the great importance of limited access of women to the prime labor market. Dutta has listed a set of variables and has grouped them under two categories—quantitative and qualitative (see charts).

5.6 The issue is that labor, as an input of production, is not a homogenous variable. The prime labor market, however, defined by the Department of Labor, is a "closed" market and the nonprime labor market is differentiated. In international trade and in welfare economics, the economics of market discrimination have been analyzed, and we have referred to them earlier. We can study the same problem in yet another dimension by using the input-output format of Leontief (31).

If the labor input of the nonprimary labor market variety (in the present case, the Asian American origin) cannot find entry into most of the cells of the production matrix, it must remain less productive, and as such it must stand to be rewarded in a differentiated manner. The issue is then one of "access," and the barriers are at times "real" and at times "perceived," as Chamberlin developed the argument in his thesis on monopolistic competition. In the case of international trade, Irving

Chart 1

$E = f(X_1, X_2, \ldots\ldots\ldots, X_m, X_{m+1}, X_{m+2}, \ldots\ldots, X_M)$ ..... (1)

E = Employment

$(X_1, X_2, \ldots\ldots\ldots\ldots\ldots\ldots, X_m)$ = vector of perceived variables

$(X_{m+1}, X_{m+2}, \ldots\ldots\ldots\ldots, X_M)$ = vector of observed variables

$E = h(Z_1, Z_2, \ldots\ldots\ldots, Z_m, Z_{m+1}, Z_{m+2}, \ldots\ldots, Z_M)$ ..... (2)

E = Change in employment/change in time (i.e., career development)

$(Z_1, Z_2, \ldots\ldots\ldots\ldots\ldots\ldots, Z_m)$ = vector of observed variables indicating performance on job

$(Z_{m+1}, Z_{m+2}, \ldots\ldots\ldots\ldots, Z_M)$ = vector of perceived variables leading to acceptance on the part of the management with power to act upon the ith candidate's career advancement.

Note: Functional Form remains undefined. Simple, linear, additive error structure relationship is easily estimable. However, complicated interaction effort especially in the case of "language" and "appearance" may create bothersome problems even in such simple functional specifications.

Perceived Variables = $(X_1, X_2, \ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots, X_m)$.

X_1 = The history of Asian Exclusion Act of 1917 and its lingering aftermath.

X_2 = Lack of shared experience, or inadequate sharing of Greco-Roman culture and Judo-Christian religious beliefs.

X_3 = Fallacy of "brain drain" argument: to make the Asian immigrant feel guilty to begin with.

X_4 = Discipline/management consideration: more easily controllable subject and the consequent built-in discrimination.

X_5 = Limited access to "establishment:" church, country club, political club.

X_6 = Limited access to political power: immigrants from Europe and from Africa are the official majority and minority, respectively, and so perceived by both major political parties. The immigrants from Asia continue to be the unrecognized and neglected minority.

X_7 = The history of immigration laws: the quota system: the 1965 liberalization of the immigration laws: first generation immigrants' profile: the numerical guidelines are seen as a hidden quota system even by the liberal establishment when it comes to affirmative action programs, (i.e., the *Bakke* case), but the numerical guidelines are seen as valid and lawful when it comes to the application of the 1965 Immigration Act. There has been no voice raised even by the liberal scholars who have been vocal in other cases.

Observed variables = $(X_{m+1}, X_{m+2}, \ldots\ldots, X_M)$.
X_8 = Education
X_9 = Health
X_{10} = Age
X_{11} = Communication ability (i.e., language barrier)
X_{12} = Appearance
X_{13} = Sex
Observed Variables = $(Z_1, Z_2, \ldots\ldots, Z_m)$
Z_1 = Quantity of output
Z_2 = Quality of output
Z_3 = Cost saving per unit of output
Z_4 = Job management/leadership/committee work
Z_5 = Innovativeness/patent/basic research/publication
Perceived variables = $(Z_{m+1}, Z_{m+2}, \ldots\ldots, Z_M)$
Z_6 = Peer acceptance
Z_7 = Acceptance by the consumers of the product
Z_8 = Acceptance by the superiors
Z_9 = Acceptance by the community
Z_{10} = Acceptance by the self/self-evaluation/job satisfaction

Chart 1

An Expanded Input-Output Matrix with Five Different Types of Labor

	1	2	3	4	5	6	Final Output
1							C + I + G + EXPORTS ↓
2							
3							
4							
5							
6							
L_{WA}						→	
L_{BA}						→	
L_{HA}						→	
L_{NNA}						→	
L_{APA}						→	
BANK						→	
IMPORT						→	
EXTERNALITIES						→	
PUBLIC GOODS						→	

Kravis (27) extended the Hechsher-Ohlin factor availability theorem to suggest that the concept of "availability" can at times be perceived to be true, even if not really so. Can one ever be certain of the superiority of French wine in comparison with California wine?

5.7 The research design we envisage must be carefully designed and must involve "controlled" experiments. Comparisons to be meaningful must be based on comparable data bases: Asian immigrant against European immigrant—given the breakdown of profession, years of schooling, years of immigration, sex-age profile, and varied socioeconomic characteristics. It is our guess that a prime variable to explain earnings differential, as may be found, may be explained by ethnic-association coefficient, where the ethnic association may be defined as the ratio of Asian American immigrants to the basic population as opposed to the ratio of European immigrants to the basic population. This is indeed the "access" variable discussed by Strober (47) where she might consider ratio of women members in the economics profession compared to the ratio of male members in the economics profession.

5.8 In conclusion, it is strongly suggested that, without an independent survey using specific data sources, a meaningful study to analyze the Asian/Pacific American employment profile is not feasible. The U.S. Bureau of the Census can hardly be expected to allocate priority to this smallest of the minorities of the Nation's population, and, even if its expanded 1980 survey is an improvement, it cannot succeed in unravelling the mysteries of the Asian/Pacific employment profile for many and varied reasons.

On its own response, as noted earlier, the U.S. Bureau of the Census shall be unable to provide any useful information until the second half of the 1980s. This absence of information for almost another decade to come must be viewed with alarm. It is much more so in view of the recent pattern of immigration from Asian countries. Anderson (1) and Leung (29A) have written extensively on the role of community-based organizations in relation to research in this regard. Concerned scholars of Asian/Pacific heritage can and must offer to undertake meaningful research in studying the Asian/Pacific American employment profile and provide the missing information at the earliest possible time.

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Asian American Employment Issues: Myths and Realities

by Setsuko Matsunaga Nishi, Ph.D.*

Chairman Flemming, Commissioners, ladies and gentlemen: My name is Setsuko Matsunaga Nishi. I am professor of sociology at Brooklyn College and the Graduate Center of the City University of New York. I am also senior consulting associate with Clark, Phipps, Clark, & Harris, Inc., which specializes in equal employment and affirmative action programs. With Charles Pei Wang, I cochair the Asian American Affairs Subcommittee of the New York State Advisory Committee to the United States Commission on Civil Rights.

For my presentation, I shall draw from materials computed for an all-day conference last year attended by 350 Asian and Pacific Americans in New York to develop an action agenda and on testimony and evidence taken in 3 days of informal hearings conducted in New York City (New York State Advisory Committee, U.S. Commission on Civil Rights). Both of these events were sponsored by the New York State Advisory Committee to the U.S. Commission on Civil Rights. Additional sources include: several studies by doctoral students at the Graduate Center of the City University of New York; Mr. Illsoo Kim (1979) and Ms. Lirio Sobrevinas-Covey (1977); a study which we conducted under contract with the New York State Division of Human Rights concerning the underutilization by Asian Americans of the complaint services of that agency (Nishi, 1979); and a recent article written for the journal, *New York Affairs* (Nishi, 1979).

Employment issues as they affect Asian Americans in New York will be the primary focus. My approach will be to state a myth and its significance, then to analyze evidence of the reality, and finally to suggest strategies for resolution.

The Basic Myth: That Asian and Pacific Americans are an Insignificant Element of the Population.

It is of critical importance to establish the reality of the significant presence of Asian and Pacific Americans for the obvious reason that assessment of equity in the distribution of public resources and in opportunity for education and employment is based on population proportion. There are other reasons as well: for example, 1) that all groups, no matter their size, are important ideologically in a society that takes pride in cultural diversity, 2) that Asian and Pacific Americans constitute a resource of language skills and cultural knowledge increasingly needed in advancing United States foreign policy and economic relations, and 3) that as nonwhite minorities heavily concentrated in urban centers, they are likely recruits for significant political coalitions.

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A large part of the problem is that the 1970 census figures, which are still the official basis for equity evaluation, seriously undercounted Pacific/Asian Americans and are hopelessly out of date. Let us take the case of New York City, which can quite properly be called a "national city." Approximately *half* of the Asian Americans now in New York were not there for the 1970 census, being new immigrants, temporary residents, or births since that date. In an article just published in *New York Affairs*, I have described this population growth in some detail:

> By official Census count, New York City had 99,184 persons of Chinese (69,324), Filipino (11,207), Japanese (13,968), and Korean (4,685) descent in 1970 (Asian Indians and other Asian groups were not separately enumerated and were included in the undifferentiated "Other" category). During the next five years, new immigrants from these background countries swelled that number by 40 percent. From India alone 12,097 came. Estimating the increase due to births and the sizable number of "non-immigrant" arrivals such as students and temporary-resident employees of overseas business firms and foreign missions, we could easily account for a 50 percent growth. The New York City Planning Commission estimated that the number of Koreans, Filipinos, and other Asian Americans doubled during this same period and that the Chinese population grew by at least twenty-five percent. There is no indication of decline in this trend, and the 1980 Census will show at least a doubling of the prior decennial count, probably to about one quarter of a million.
>
> But Asian American community leaders and scholars say this is a serious underestimation of their current and projected numbers. Tania Azores of the Asian American Advisory Committee for the 1980 Census says that the underenumeration of Asians in 1970 was considerably more than the seven percent acknowledged for racial minorities partly because many from Asian countries were classified as "Others" rather than as Asians, but also because of language, housing, and cultural circumstances. The Chinatown Planning Council has projected that by 1980 the Chinese population in New York City will reach 158,497, a 116.6 percent rate of increase since 1970. Illsoo Kim of the City University of New York, who has just completed a detailed, scholarly study of the Korean American community in the greater New York area, puts their current figure at 80,000. This is about five times the

> estimate based on the 1970 Census figure of 4,685 Koreans in New York City plus about 1,500 immigrants per year reporting New York City as their permanent residence to the Immigration and Naturalization Service.
>
> Likewise, Filipino leaders estimate 70,000 of their number in greater New York, which is three times what the available official Census and Immigration figures show.
>
> The Japanese Consulate does a periodic census, and their latest count of October 1, 1978, indicates that Japanese nationals (18,522) in greater New York constitute more than twice the number of American citizens of Japanese descent (8,579). Of these Japanese nationals, only a fourth are immigrants. The rest are temporary residents, mainly employees and family members of overseas Japanese firms, but also students, Japanese government workers, restaurant employees, etc. The Japanese population growth rate for the decade is expected to be about 67 percent in greater New York.
>
> The actual numbers are not known, of course, but it is a reasonable calculation that the total Asian population in the New York area may soon be approaching a third of one million.
>
> The official Census figures above indicate that Asian Americans of the four major Asian backgrounds constituted 1.3 percent of New York City's population in 1970. The New York City Planning Commission estimated that Asians were 2.9 percent of the City's population in 1975, not counting births and those of "non-immigrant" temporary status. While the Asian American population in New York City will have doubled (or tripled according to Asian community scholars) in the decade between 1970 and 1980 Census, there has been a persistent decline in the overall population, 7.4 percent so far in the current decade. If these trends continue as expected, Asian Americans may constitute between four and five percent of New York City's population by 1980 (Nishi, 1979).

In the meantime, however, parity in the distribution of resources and assessment of equal employment affirmative action needs in New York is based on the 1.3 percent of the 1970 census. On the Federal level, a similar inequity results from using the 1 percent of the national population parity figure. For the metropolitan gateway cities such as New York, where Asian populations have grown so rapidly, this basis perpetuates inequality in access to resources for remedy.

Perhaps even more important than population growth itself is the vitality that Asian Americans have brought to metropolitan centers such as New York are the facts of their high educational and occupational qualifications. Though these characteristics have not assured a commensurably high employment status, as we shall develop below, they are conditions associated with active participation in a society. Asian immigrants are becoming naturalized citizens at a remarkable rate and being quickly politicized to function in ethnic and pan-Asian caucuses and minority coalitions as part of the New York citizenry and national politics.

Recommendations:

1. That the recommendations of the Asian American Advisory Committee for the 1980 census be endorsed and monitored by the U.S. Commission on Civil Rights in order to reduce undercounting and the availability of data.
2. That Federal, State, and local civil rights enforcement agencies assess equity in the distribution of public resources to Asian/Pacific Americans and in their educational and employment participation on the basis of:
   a) The most recent Census Bureau figures such as current population reports and the 1976 survey of income and education updated with Immigration and Naturalization Service data and
   b) In the appropriate geographic units where Asian/Pacific Americans are heavily concentrated, i.e., New York City.

The Strategic Myth: That Asian/Pacific Americans Are Taking Away Job Opportunities from Blacks and Hispanics.

Perhaps this myth is the most strategic to correct, for its obstructs the potential for effective joint actions in coalitions with other minorities. I have sometimes referred to this as the Hitler myth, for it was grand design to "divide and conquer." In a multiracial/ethnic society such as our, we are especially vulnerable to divisive scapegoating, that is, blaming groups who are themselves the victims of the same forces of institutional racism.

In reality, today, Asian Americans are overwhelmingly distributed in occupations and/or work settings in which they do not compete with blacks and Hispanics. This is partly a consequence of their historic exclusion from the labor movement in the continental United States (in contrast to Hawaii) and thus from skilled and/or protected blue-collar occupations.

Another factor is selectivity in the new wave of immigration of those with professional-technical educational and occupational qualifications. In particular, the occupational preference provisions of the 1965 Immigration and Naturalization Act favored professionals especially in medicine and engineering. For example, Immigration and Naturalization Service data for 1975 indicate that of the immigrants from Asian countries reporting occupations, half were in the professional-technical category (three-fourths of the Indians, more than half of the Filipinos, four-tenths of the Koreans, and three-tenths of the Japanese and Chinese), and one-tenth were managers and administrators (18.8 percent of the Japanese, 16,8 percent of the Chinese, 11.6 percent of the Koreans, and 6.0 percent of the Filipinos and Indians). That is, nearly two-thirds of the immigrant workers bring with them skills as professionals, technicians, managers, and administrators—occupational categories in which blacks and Hispanics are largely absent.

The complex historical circumstances for the shortage of blacks and Hispanics in professional-technical occupations clearly are not the fault of foreign-trained Asian personnel; nonetheless, the irrational tendency to blame their low status on what is perceived as an "outsider" element is as understandable as it is deplorable.

Illustrative is the situation in many New York hospitals. Asian doctors, nurses, and medical technicians are disproportionately concentrated in inner-city municipal and State mental hospitals to which they were recruited because of critical shortages, and where most of the service personnel are black and Hispanic. Administrators tend to be white. Such occupational stratification by race is highly visible and provides fertile conditions for the growth of resentment against Asians (and some West Indians).

Ironically, however, as we shall develop below, a significant proportion of highly trained and experienced Asian professional-technical personnel are obstructed from ever entering and thus competing with anyone in the occupations for which they are prepared.

For the Chinese, the largest Asian group in New York and the only one that has a large number from the early period of immigration, there is great occupational segregation in the less skilled occupational categories. Thirty-eight percent of the Chinese males in New York City are service workers, mainly in Chinese restaurants and laundries. Forty-six percent of the Chinese women are operatives, almost all in Chinese garment factories. Thus, overwhelmingly, lesser skilled workers are in racially segregated work settings and do not compete in the general labor market for such work.

For different reasons, then, we must conclude that Asian Americans—whether in professional-technical, skilled blue-collar, or less-skilled or less-protected service occupations—by and large, are separated or effectively excluded from competing with other minorities in the job market.

Recommendations:

1. That the United States Commission on Civil Rights develop and publicize the factual basis to overcome the widely held belief among blacks and Hispanics that Asian immigrants are a competitive threat to

their occupational achievement. This could be part of a wider effort to reduce the divisive tendencies to which racial/ethnic groups are vulnerable especially during periods of economic decline and as group consciousness rises.

2. That the Commission urge and monitor the appropriate public and private educational agencies and information media to include equitably the history and contemporary circumstances of discrimination against Asian/Pacific Americans along with that of other minority status groups in order to enhance better understanding about and among all these groups.

3. That Asian/Pacific American organizations join forces with other minority organizations in programs to overcome discrimination.

The Success Myth: That Asian/Pacific Americans Have Overcome Discrimination and Are Not Economically Disadvantaged

> *Ironically, it is at least partly a consequence of their reputation for success and their own hopes for making a go of it in the uncertain setting of the Big Apple which obstruct access to the services which many Asian Americans sorely need.*

I again quote from my *New York Affairs* article:

> I have not found anyone yet in New York who was aware that the City's Chinese have an average income less than that of blacks or Hispanics according to the last decennial Census. Outside of Chinatown, the most visible Asians are in professional-technical roles, as doctors, nurses, and technicians in the City's municipal hospitals or new proprietors of the hundreds of little fruit and vegetable stores on Ninth Avenue and North Broadway. Furthermore, there is the conspicuous presence of the more than 450 overseas Japanese firms with their 18,000 employees and the streams of big-spending Japanese tourists, who contribute to the mistaken impression that Asian Americans are not socio-economically disadvantaged by prejudice and discrimination.
>
> The hard reality is that, despite the undeniable vitality and striving for self-sufficiency of a population with better-than-average education, they are generally underemployed, overworked, and underpaid. A disproportion are in marginal seasonal industries on the decline in New York—garment factories, laundries and restaurants, and small business enterprises in changing neighborhoods.
>
> In the New York metropolitan area, both male and female Chinese in 1969 had lower individual incomes than any other racial group. The Census figures in table A for employed persons 16 years and older are based on a 20 percent sample.

TABLE A

	Male	Female
White	$7,897	$3,162
Japanese	8,339	3,962
Chinese	4,352	3,143
Filipino	6,124	5,950
Black	5,667	3,439
Spanish origin	5,371	3,178

> The relatively high income of Filipinos is accounted for by the selective occupational factors in the post-1965 immigration. As we have already observed, about two-thirds of the Japanese in New York are non-immigrants mainly employed as overseas personnel in Japanese firms. Thus, their income does not necessarily reflect their achievement in the American occupational structure.

Their presence in the health care system is a result of special recruitment and the occupational preference provisions of the 1965 immigration law, in which doctors, nurses, and other medical specialists were certified by the Department of Labor as occupations with personnel shortages. They came to fill the empty slots in the health care system which were least attractive to native personnel—the municipal hospitals, State mental institutions, and rural posts. Yet, as the hospitals cut back and hiring at State institutions was frozen, these foreign medical personnel became the brunt of resentment, and professional associations such as the American Medical Association and the American Nurses Association took steps to toughen licensing procedures, and personnel practices discriminating against aliens were instituted. This is not unlike the historic patterns of discrimination against Asian immigrant labor, in which they were acceptable as long as there were labor shortages to fill, and quickly became the butt of anti-Oriental campaigns when labor competition developed in economic depressions (Nishi, 1979).

Dr. Illsoo Kim's (1979) study of the development of the Korean community in New York identified between 2,000 and 2,500 Korean-owned businesses in the New York metropolitan area, almost all established since 1970. Because of initial language difficulties, licensing difficulties, and discrimination in bureaucracies, many Koreans find that entrepreneurial activity provides more economic opportunity. Most of the small retail businesses have been started with capital of $10,000 to $20,000, often accumulated through their wives' earnings. Highly labor intensive and involving long hours of family labor, they are located primarily in changing areas where Jews, Italians, and Irish small businesses have moved out.

As admirable as their entrepreneurial drive may be, Kim's explanation for it is the limited opportunity for employment and advancement appropriate to their fields and levels of training and experience. In addition to the underemployment of high level skills, Kim concludes that their business success has been achieved at the extreme costs of a willingness for exploitation of self and family labor, a fiercely driven achievement striving, and the taking of large risks in marginal, transitional enterprises in locations underdoing rapid change.

Though much more evidence could be presented, we have dealt with the reality underlying some of the more conspicuous appearances of success in New York. Now, I turn to the way in which Asian Americans generally have been characterized misleadingly as a "model minority," that is, having worked hard through education, they have overcome discrimination and achieved economic success. Here I wish to address the use of statistical measures which have obscured reality.

> The national averages of median school years completed and median family income are better than for the United States population as a whole. For example, in 1970, 20.4 percent of Asians (Chinese, Japanese, and Filipinos) 25 and older had completed four or more years of college in contrast to 11.4 percent of comparable whites. In 1969, the median family income for the total U.S. population was $9,596, $12,515 for Japanese, $10,610 for Chinese, and $9,318 for Filipinos.
>
> One factor contributing to the tendency to overgeneralize the economic well-being of Asian Americans is that there are proportionately more earners per family than for white families. Thus, it would be more accurate to compare individual income. Another circumstance is that 90 percent of these Asian groups live in metropolitan areas. Another is the highly selective immigration of professional trained females, especially among Filipinos, into the U.S. work force. Thus, a comparison of the individual income of males in these areas is more indicative of whether Asians have overcome discrimination and reveals that Asian males have consistently lower income than white males in all standard metropolitan areas except for Japanese males in Long Beach/Los Angeles and New York. Chinese and Filipino males have lower income than white males in all standard metropolitan areas (Nishi, 1979).

The most widely used indicators of economic well-being and related educational characteristics are measures of central tendency—average and median. For population groups as widely varied as Asian/Pacific Americans, average figures are often deceptive, as we have shown above. Let us take the case of the Chinese. Nationally, there is a heavy distribution of Chinese on the extreme ends of the occupational scale, that is, a high proportion in professional and technical occupations and, at the bottom, of males in restaurant and laundry service jobs and females as operatives in garment factories. Among the foreign born, this disparity is very pronounced. In New York, where they are relatively fewer in the professional-technical occupations, more than a third of the men are in service work, much more than nationally, and 43.7 percent of the women are operatives.

Parenthetically, we might note that the practice of reporting median years of school completed as the comparative indicator of education opportunity has had the effect of excluding Asians, many of whom are both economically and educationally disadvantaged, from many minority fellowship and scholarship programs and affirmative action plans in admissions. For example, very little attention has been given the seriousness of the disadvantage represented by the facts that the proportion of Chinese over 25 who have 4 or less years of schooling is 16.2 percent, *four times* that of whites, and of Filipinos, 15.1 percent, *three times* that of whites!

Unemployment rates among Asian groups tend to be lower than that of the general population insofar as the census data indicate. In New York, this has made them ineligible for the special dispensation required from the New York State Division of Human Rights as a minority for apprenticeship training programs in craft occupations, where they have been historically excluded. According to data from the Chinatown Field Study sponsored by the Department of Health, Education, and Welfare in 1974 (New York State Advisory Committee to the U.S. Commission on Civil Rights, 1977), it would be accurate to describe most Chinatown workers as overworked rather than unemployed. According to testimony presented, 29 percent of the employed work more than 57 hours per week at several jobs or long hours on one job; 43 percent of the elderly are employed and one out of five of them worked more than 57 hours per week.

Beyond the hard realities underlying the appearances of success and the conventional statistical indicators which mask the severity of economic disadvantage and continuing employment discrimination—the myth of success is also sustained by what, at first blush, may seem bizarre.

We have found that many Asian Americans are not themselves aware that they are victims of prejudice and discrimination. Asian American "influentials" who were interviewed in a study for the New York State Division of Human Rights (Nishi, 1977) in equal proportion denied (41) and acknowledged (40) experiencing unequal treatment in employment; 10 said they were not sure. Yet, almost without exception, it was their judgment that Asians do not have employment opportunity equal to whites. We may surmise that our leader-respondents, many of whom were self-employed professionals and small business entrepreneurs, may be in occupational circumstances where inequalities tend to be structural and systemic rather than personal or directly observable as intended and/or conscious discrimination. Those who did acknowledge being discriminated against reported great difficulty and expense in trying to establish proof.

What was even more surprising was that half of our Filipino, Japanese, Korean, and Indian respondents (who were selected because of their leadership roles in Asian communities), said they knew no one of their background who had experienced employment discrimination. In contrast, all but one of the Chinese leaders did, indicating both the more blatant discrimination faced by earlier immigrant groups as well as the harshness of the economic plight of many New York Chinese.

Tania Azores (1974) found the same phenomenon in a survey of Filipinos in New York. Only 18 percent acknowledged experiencing discrimination personally, and just over a third knew any Filipino who had. Yet, even those reporting being underpaid, receiving less pay for the same work, did not acknowledge discrimination or have any complaint against their employer. Despite the general denial of discriminatory experience, most of Azores' respondents reported some form of unequal treatment such as not working at a level commensurate with training and experience, lower starting salaries, restrictions and delays in raises and promotion, overtime without pay, assignment to less desirable work schedules, denial of fringe benefits, and selective layoffs. Azores concluded that Filipinos generally do not know when they are being victimized by discrimination, that they do not recognize the subtle forms of exploitation.

Elsewhere, I have commented upon this tendency:

> I suppose that the denial of discrimination may be psychologically defensive. Discrimination is painful to the ego. One way of coping with an event that one can do little about without getting very upset is to try to ignore its occurence. There may be something to the idea suggested by some that the Eastern philosophical tradition being more fatalistic, Asian Americans may be less inclined to protest discrimination. But my own view is that they are making the practical assessment that protesting discrimination is a costly and risky venture for those in subordinate positions and whose group is politically weak.
>
> There is another consideration. A sense of injustice is dependent on whom one selects for comparison with one's own position. For example, even if one were aware of being treated unequally at work, the alternative conception of lack of opportunity in the immigrant's native country is even less desirable. Thus, the insult

> of unequal treatment on the job may be looked upon as a cost to be borne while adapting to the new country.

But we have some unusually strong evidence that some of the discrimination that robs Asian Americans of equal job opportunity takes place in aspects of the employment process invisible to the applicant. One ingenious study by a Filipina psychologist, Lirio Sobrevinas-Covey (1977) of the City University of New York found that 8 out of 10 firms recruiting for a sales position, on the basis of a resume, would screen out a Filipino applicant while inviting an equivalently qualified white applicant for an interview (equivalence was tested thoroughly). The difference was not so great for technical jobs, for which only 5 out of 10 firms rejected Filipinos in favor of whites, suggesting the continuing image of Asians being more acceptable in situations of less interpersonal contact. Discrimination in the "foot-in-the-door" phase of personal selection is crucial to careers, but the individual victim has no knowledge and no recourse against such forms of racism (Nishi, 1979).

Recommendations:

1. That the U.S. Commission on Civil Rights undertake or request the Equal Employment Opportunity Commission to sponsor studies of the structural, systemic, and processual factors which create and sustain discriminatory patterns such as underemployment, exploitation, and underutilization of Asian Americans in:
   a) the health care system,[†]
   b) segregated work settings such as laundries, restaurants, and garment factories, and
   c) skilled blue-collar and public employment.
2. That the Census Bureau, the National Center for Educational Statistics, the Bureau of Labor Statistics, the National Center for Health Statistics, and their corresponding regional, State, and local agencies be apprised of the misleading consequences of the conventional statistical measures (average and median measures of central tendency, family income, and unemployment), which do not accurately describe the economic and social conditions of need of Asian/Pacific Americans.
3. That the Asian American communities, through their media and leaders, be assisted in becoming aware of the institutionalized structural arrangements and routinized practices which have exploitative and

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[†] I call your attention to the class action complaints to the Equal Employment Opportunity Commission on behalf of all foreign trained nurses in the United States brought by Norma Rupisan Watson, R.N., against the Department of Health, Education, and Welfare, the Immigration and Naturalization Service, the Department of Labor, the American Nursing Association, the American Hospital Association, the Commission on Graduates of Foreign Nursing Schools and all State boards of nursing, "of criminal conspiracy to defraud, deprive and disenfranchise all foreign nurses currently practicing in the U.S.A. and to deny them future entry into the U.S.A."

discriminatory consequences for them—that is, modern racism. And, furthermore, that they be aided in apprising their constituences of their civil rights and means for protesting discrimination.

In this statement, I have tried to emphasize those myths that are of overriding consequence to resolving the employment issues of concern to Asian Americans: 1) the basic myth that Asian Americans are an insignificant element of the population, 2) the strategic myth that Asian/Pacific Americans are taking away job opportunities from blacks and Hispanics, and 3) the success myth that Asian/ Pacific Americans have overcome discriminatory barriers and are no longer economically disadvantaged. For each myth, we have assessed its significance for employment concerns, analyzed its sources and the evidence of reality, and proposed actions for remedy.

There are other both more specific and general myths which I wish we had the time to consider. For example, the mythic images constructed and sustained in stereotypes portrayed in the media wreak their mischief in ways that are little understood. The Commission had documented the content and mode of portrayal of stereotypes in several studies, but I believe it is time for a study of how stereotypic beliefs, about Asians for example, affect the judgment of decisionmakers in various work career phases and during such situations as economic recessions and changing United States relations with Asian countries. In this connection, I submit as an attachment, "The Asian Image in the United States: Stereotypes and Realities," prepared by Asian Americans for Fair Media.

Another example is that since so many Asian/Pacific Americans are not native English speakers, I believe it would make an important difference if the mythic beliefs regarding the performance relevance of standard English without foreign accents were to be subjected to scrutiny. The success of employment interviews, screening and licensing examinations, and evaluations often hinge on English language facility when it has no real effect on job performance.

Another belief which serves to block the expansion and diversification of employment opportunities for Asian Americans is that they are not interested in manual or blue-collar work. John Yoshino's study for the Department of Transportation found a considerable interest: Generally, it would appear that lack of interest in a field is attributed to a group when there has been effective exclusion of its members from employment opportunity in that area.

These examples of other myths have been offered in conclusion as indicative of the multifaceted obstacle to equal employment opportunity for Asian/Pacific Americans that the configuration of myths construct. Perseverence, wit, and intelligence will be challenged fully in seeking resolution of these difficulties. May we expect that the U.S.

Commission on Civil Rights, in convening this consultation, intends to add its weight to this effort?

Thank you.

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Small Ethnic Business as a Form of Disguised Unemployment and Cheap Labor

by Joseph S. Chung[*]

Exclusion of Asian/Pacific Americans from full participation in the economic, social, and political life in the United States has been attributable to various forms of discrimination against them. Discrimination, in turn, has often been the byproduct of myths and stereotypes, both negative and positive.[1] Further, these stereotypes have acted as obstacles in dealing effectively with the problems and needs of the Asian ethnic communities. The magnitude and complexity of their needs have multiplied since the large influx of Asian immigrants resulting from the 1965 amendments to the Immigration and Naturalization Act and the 1975 inflow of Indochinese refugees. Ironically, it is frequently the positive public image of typecasting Asians as successful minorities who have no serious problems and hence require no special assistance[2] that does no less harm.

A particular example of problems created by positive stereotyping of Asian Americans is found in the area of Asian ethnic business. It deals with the public image of Asians as successful businessmen. The public points to the size and number of little Tokyos, Chinatowns, little Manilas, and Koreatowns in major cities around the U.S. as evidence. In recent years, for example, the growing small ethnic enterprises in Koreatowns, particularly in and around Olympic Avenue in Los Angeles, have often been cited in the news media and in popular magazines as symbols of the success of new immigrants from Asia. Going further, some even suggest that Korean immigrants serve as models for other newcomers such as Vietnamese refugees.

It is the contention of this testimony that the so-called success of Asian business is only a myth, and that in reality the preponderance of small business among the Asian Americans represents symptoms of underlying fundamental problems that the new Asian immigrants face in their newly adopted country. Further, small businesses of Asian Americans must be viewed as what they really are—a form of underemployment and a source of cheap labor.

Underemployment appears by far the most serious economic issue faced by the Asian Americans, particularly the new immigrants who make up the majority of the expanding Asian population in the U.S.

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[1] California Advisory Committee to the U.S. Commission on Civil Rights, (1975). *Asian Americans and Pacific Peoples: A Case of Mistaken Identity.*

[2] Bok-Lim C. Kim, "Problems and Service Needs of Asian Americans in Chicago: An Empirical Study," *Amerasia Journal*, vol. 5, no. 2, 1978, pp. 23–44.

Symptomatically, the existence of underemployment can be gauged by two interrelated barometric indicators. They are the income-education gap and the discrepancy between the preimmigration and postimmigration occupations.

The 1970 census showed that Koreans received an average income approximately equal to the U.S. average. This is so in spite of a much higher proportion of Korean immigrants with a college education and with professional and managerial experience before immigration. Another expression of the same problem is using the ratio of persons earning $10,000 or more to persons with a college education. In the 1970 census this ratio for Koreans was 0.8 as compared to the U.S. ratio of 1.4. The ratio for the Chinese and Filipinos was even lower than that for the Koreans. When Hawaii is excluded the ratio for Koreans is much worse. It was 0.3, 0.4, and 0.3, respectively, for Koreans living in Los Angeles SMSA, New York SMSA, and other areas. An unusually high rate of 1.7 for Honolulu SMSA raised the Korean average to 0.8.

New Asian immigrants experience a sharp downward mobility in employment. In a Chicago survey[3] of Asian immigrants, all four Asian groups (Korean, Filipino, Japanese, and Chinese) studied showed a marked downward movement in employment although the Koreans as a group appeared to suffer more in this regard. Whereas 65.6 percent of Korean respondents held positions in the professional/managerial category before immigration, only 30.8 percent of them held occupations in the same category since arriving in the U.S. Comparable percentages for Filipino, Japanese, and Chinese were, respectively, 62.5 and 46.2; 28.5 and 22.4; and 34.2 and 15.2.

Percentage distribution in the semi- or unskilled category reveals an even sharper downward mobility. In the same Chicago survey the Korean group again showed up as the leading group in the downward movement. As compared to a mere 5.4 percent of Korean respondents whose preimmigration employment status was in this category, nearly one-third (29.6 percent) were employed in this category in the U.S.

In the Hurh-Kim-Kim survey[4] of Koreans in Chicago, 24.4 percent replied "definitely yes" to status inconsistency between occupation and education with an equal percentage in the "probably yes" category. This means nearly half of the respondents perceived "definite" or "probable" gaps. A somewhat smaller proportion perceived an inconsistency between income and education (16.7 percent "definitely yes"; 30.1 percent "probably yes"). Perceived income gap among the new immigrants may underestimate the real gap since the higher absolute income they receive in the U.S. relative to that in Korea tends to give them a false sense of well-being particularly in the early phase of their new life in the U.S.

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[3] Bok-Lim C. Kim, *op. cit.*, p. 31.

[4] Won Moo Hurn, Hei Chu Kim, and Kwang Chung Kim, *Assimilation Patterns of Immigrants in the United States: A Case Study of Korean Immigrants in the Chicago Area.* Washington, D.C.: University Press of America, 1978.

Ethnic Business As a Form of Underemployment

Asian business enterprises are very small in scale, concentrated in retail trade dealing with a narrow range of products and services requiring small amount of capital. The most popular Asian family enterprises are ethnic grocery stores and restaurants, short order and fast food restaurants, wig shops, laundries, insurance and travel agencies, gas stations, establishments teaching martial arts, liquor stores, TV and appliance repair shops, and the like. Most of these show a high degree of ethnic homogeneity, that is, their business transactions are chiefly confined to people who are coethnics. The owner/managers of Asian business establishments tend to be very highly educated.

According to a survey conducted in 1972 by the U.S. Bureau of the Census,[5] of a total of 1,201 business enterprises owned by Koreans, 45.0 percent were located in California which led all other States. The Los Angeles-Long Beach area had the most concentration of Korean firms with 33.1 percent of the 1,201 total located in the areas. The small scale of the Korean ethnic enterprise can be surmised by the fact that only 249 firms employed paid workers and that the average number of employees per firm was six. Average gross receipts per year was $64,839. There were more retail stores than any other type of business. Of the total 736 firms reported by the 9 standard metropolitan statistical areas (SMSA), 335 firms (45.5 percent) were engaged in the retail business.

Overrepresentation of Korean business by retail trade is confirmed in a survey of Korean business firms in Los Angeles County in 1975–76 by Ivan Light.[6] Out of a total of 1,142 firms listed in the Korean business directory, 550 firms were engaged in retail trade, showing a margin of Korean overrepresentation in retail trade of 193.1 percent (of the expected number based on industrial distribution of the base business population in Los Angeles County).

The 1975 survey by H. Kim[7] of 52 Korean retail business enterprises in Chicago, Honolulu, Los Angeles, and the San Francisco Bay Area also confirms findings by the Census Bureau and offers significant new information on the nature of Asian business in the U.S. Sizes of the retail stores in the survey are small with an average of 2.46 paid workers. Twenty enterprises out of 52, or 38.5 percent, had no paid workers. A majority of the enterprises in the sample started with a small amount of initial capital. Out of 50 firms reporting the information, 23 (46.0 percent) started with less than $10,000 and 34 firms representing 62.0 percent started with an initial capital of less than $15,000. Only 7 firms reported an initial capital of more than $30,000.

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[5] U.S., Bureau of the Census, *Minority Owned Businesses: Asian Americans, Americans Indians and Others* (1975).

[6] Ivan Light, "Asian Enterprise in America: Chinese, Japanese, and Koreans in Small Business," University of California (unpublished paper).

[7] Hyung-Chan Kim, "Ethnic Enterprises among Korean Emigrants in America," *Journal of Korean Affairs*, July 1976, pp. 40–58.

H. Kim's survey reveals that the owner/managers of Korean retail stores are a very highly educated group. An overwhelming majority, 71.2 percent of them finished 4 or more years of college. Reflecting their high educational background, most had professional and managerial positions before they immigrated to the U.S. All respondents, with the exception of one person, switched professions since arriving in the U.S. Eight former teachers in Korea represented the largest single group for professionals in Korea. Most of them were high school teachers or college instructors. One, a former college professor, now operates a service station. An overwhelming proportion of the total, 71.2 percent, resided in the U.S. 3 years or less before they started their business. They were rather young: 61.5 percent were between the age bracket of 36–45.

Light's study also indicates a high degree of ethnic homogenity of business. He found, for example, in the case of transactions dealing with liquor licenses, 79.0 percent of Korean sellers of liquor licenses found Korean buyers even though Koreans represented only 15.0 percent of all buyers. Light's explanation of high ethnic homogeneity are: enhanced trust resulting from the mutual sympathy of coethnics convenience arising from the propensity of ethnics, to associate with one another, and advertisement in the ethnic press. Whatever the reasons, a high level of ethnic homogeneity must be regarded as a growth-limiting factor for Asian businesses beyond the initial stage of development. High ethnic homogeneity is particularly severe for the Korean group as compared to the Chinese and Japanese, as Light points out.

Ethnic homogeneity is even higher within the Koreatowns. There most business establishments are geared for retailing of immediate daily necessities of the Koreans and related services. For this reason the growth of Koreatowns is highly positively correlated to the growth of the Korean immigrant population.

Small Ethnic Business as a Form of Cheap Labor

While the undocumented workers, particularly from Mexico, have received national attention as a potential source of cheap labor, a new form of imported cheap labor has emerged. This arises from a high propensity on the part of new immigrants from Asia to enter small ethnic business. Edna Bonacich[8] hypothesizes that such small business is a disguised form of cheap labor for the following reasons. To begin with, the owner/operator tends to work long hours, often under poor working conditions. In addition, his profit margin and, hence, his equivalent wage is low. Further, he is helped by unpaid family labor—his spouse and children. Even those few businesses large enough to employ nonfamily paid workers often maintain paternalistic relations with these employees, resulting in long hours of work and low pay. The low profit margin, no doubt, is attributable to the small scale, limited market, concentration in retail and service trade, severe competition, lack of managerial know-how, and the like. To be sure, these characteristics apply to small business in general whether they are operated by the native Americans or by new immigrants. But it is the unusually high propensity of Asian Americans who enter small business that poses special problems for the new group particularly in view of their higher-than-national-average educational and professional/managerial background.

In a recent survey of Koreans in Los Angeles, Lee and Wagatsuma[9] found that out of 23,908 Koreans in the labor force, 10,796, or 45 percent, were self-employed. The comparable figure for the national average is a mere 9 percent.[10]

Factors Responsible for High Propensity of Small Business

What explains this high rate of Korean immigrants who enter small business? The following are typically mentioned as responsible for the trend. All these factors act as handicaps in the labor markets, and, as a result, conspire against the new immigrants' efforts to obtain jobs commensurate with their education and employment experiences. First, there is the severe language barrier which most Asian immigrants face. For example, in the 1970 census 76 percent of all Koreans in the U.S. listed Korean as their mother tongue. The proportion was even higher, naturally, for the foreign-born Korean Americans. These figures are much higher than those of other Asian groups with the exception of the Chinese. The linguistic handicap of Koreans has been worsening since 1970 due to the increasing number of Korean immigrants. In the Hurh-Kim-Kim survey the majority of respondents

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[8] Edna Bonacich, "New Immigrant Small Business as a Form of Cheap Labor," University of California at Riverside (unpublished paper).

[9] Changsoo Lee and Hiroshi Wagatsuma, "The Settlement Patterns of Koreans in Los Angeles" (paper presented at the meeting of the Association of Asian Studies in Los Angeles, May 1979).

[10] Bonacich, *op cit.*, p. 6.

(59.3 percent) rated their ability to speak English as less than adequate. Comparable figures for reading and writing were 43.1 percent and 55.5 percent, respectively. As a matter of fact, Kim's sample of Korean retail businessmen listed poor English as one of the most difficult problems they faced, followed by severe competition among Korean fellow retail traders and lack of capital.

The second factor is job discrimination. Although the covert nature of its practice makes discrimination difficult to prove, many Asians, nevertheless, feel they have been subjected to it. Often discrimination takes the subtle form of requiring from Asian applicants more credentials than the job normally requires. Few Asians ever reach the supervisory and management level positions, and they feel this is due to discrimination. The Kim-Condon field survey of Chicago[11] showed that Korean and Filipino respondents both felt they experienced job-related discrimination. Being passed over for promotion seems to be an important facet of discrimination as 27.3 percent of Korean respondents in the study stated they experienced this form of discrimination while 14.5 percent of the sample said they were discriminated against in housing. The Hurh-Kim-Kim survey also confirmed this. A questionnaire administered in 1971 at the meeting of Korean Residents Association of Southern California[12] revealed that the sense of discrimination was positively correlated with the length of residence in the U.S. Thus, more oldtimers felt discrimination than did newcomers. This may partially be due to the newcomers relative satisfaction with their standard of living in comparison with that which they left behind in Korea. Thus, in the beginning, their reference is to Koreans in Korea. As time goes on they begin to compare themselves with the mainstream of American life. This tends to create feelings of general discontent which, in turn, lead to an awareness of an income-education-occupation gap.

The fourth is the refusal by the appropriate agencies in the U.S. to recognize Asian education and training. This is particularly true of health-related professionals such as physicians, dentists, nurses, and pharmacists. Although they are given preference by immigration laws, once in the country their educational credentials are questioned, their training is unaccepted, and their certifications are not recognized. The fifth factor is the low cost of wives and, particularly, children. A labor intensive family business is an easy and readymade source for employment for everyone in the family whose employability outside the family business is severely limited.

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[11] Bok-Lim C. Kim and Margaret E. Condon. *A Study of Asian Americans in Chicago: Their Socio-Economic Characteristics, Problems and Service Needs.* National Institute of Mental Health, U.S. Department of Health, Education, and Welfare, 1975.

[12] Marn J. Cha, "An Ethnic Political Orientation as a Function of Assimilation: with Reference to Koreans in Los Angeles," *Journal of Korean Affairs,* October 1975, pp. 14–25.

Faced with these overwhelming handicaps in the labor market and the ready availability of family labor, many a newcomer turns to small business as an alternative in spite of their high educational and professional qualifications. No wonder the recurrent and persistent aspiration of many Asian immigrants is to start a business of their own.

Small Ethnic Business as Symptoms of Problems, not Symbols of Success

It is clear that the public image of Asian success in business is only a myth. Owing to severe handicaps in obtaining jobs consistent with their qualifications, the majority of Asian immigrants enter into business simply because there are few other alternatives. An unusually high propensity of new Asian immigrants entering business must be regarded as a form of underemployment and a source of cheap labor. These businesses are mostly small in scale, dealing with ethnic and labor-intensive products, buying and selling principally with coethnics, and demand long and arduous hours from both the owner/managers and family members. Some community leaders claim that many of these ventures fail because too many go into business without the prior experience or management training necessary to run a business of their own. In the haste to escape low paying jobs, many start business with inadequate planning. Moreover, competition from fellow ethnic businessmen is severe.

The preponderance of small business, in reality, is "more a symbol of disguised poverty than of marked success."[13] In the words of a longtime student of Asian enterprises in the U.S., "Koreans have not struck it rich in business or demonstrated a rags-to-riches success story in the Alger tradition. They have, however, developed nearly twice as many retail stores in proportion to their number as have other Los Angeles residents."[14]

Remedies

The first corrective measure to rectify the employment difficulties of Asian/Pacific Americans is to educate the general public and government agencies with regard to the Asian image. Any programs dealing with assisting the Asians must start from a full realization of the problems they face. In this particular case, the myth surrounding the success of Asian Americans in business must be destroyed. Asian business in the U.S. must be seen for what they really are. For this reason I recommend that appropriate Federal agencies publish, for wide general public consumption, literature concerning the real story of Asian business. Next, appropriate Federal agencies should take immediate steps to collect data to appraise the specific needs of the Asian communities. Third, Federal agencies concerned must take special notice and actions to remedy factors that limit accessibility of Asians to the labor market such as job discrimination. Funds must be provided to make English classes widely and easily available to new immigrants in order to reduce language as a labor market handicap. Fourth, I recommend that the appropriate Federal agencies provide funding and programs to assist Asian businessmen in the area of management training for the purpose of reducing business failures and increasing profitability. These programs must be given bilingually if they are to be effective. They must be staffed by experts who know the special problems faced by Asians. Federal agencies concerned must increase funding to collect data and analyze the pattern of employment, underemployment, and unemployment of Asian Americans as well as their pattern of income distribution.

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[13] M. Kim, *op. cit.*, p. 57.

[14] I. Light, *op. cit.*, p. 11.

Lastly, I recommend that the appropriate Federal agencies collect data and study the pattern of ethnic Asian business enterprises. Such a study must deal with tracing the process by which Asians enter business and accumulate savings as well as analyzing the causes of successes and failure in their business ventures, the commodity structure and size distribution, and educational and other background of the ethnic entrepreneurs.

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U.S., Bureau of the Census. *Minority Owned Businesses: Asian Americans, American Indians and Others,* 1975.

Statement of Henry Der, Executive Director, Chinese for Affirmative Action

"Do Asian Americans really need affirmative action?"

"Aren't Asian Americans hardworking, industrious, and successful in everything that they do? Why should they be given preferential treatment?

"There are dozens of Asian American doctors, engineers, and accountants. Why would an Asian American want to become a police officer?"

Since the enactment of the Civil Rights Act of 1964, questions and comments like these have frequently been raised to challenge the classification of Asian Americans as a bona fide minority group in affirmative action programs. Persons, ignorant of the legacy of racial discrimination against Asian Americans in this country and its lasting, adverse impact on the Asian American community, believe that Chinese, Japanese, Filipino, Korean, and other Asians are not disadvantaged and, as such, seldom have any problems in attaining equal employment opportunities.

In spite of our inclusion in some affirmative action programs, Asian Americans have generally been misunderstood and neglected because, relative to the size of other national minority groups, Asian Americans represent a small percentage of the Nation's total population and are primarily concentrated in major metropolitan areas located on the west and east coasts. While there was a notable lack of Asian American leaders and groups involved in the intense civil rights struggle of the 1950s and 1960s, Asian Americans literally emerged during the 1970s to assert our identity as a discriminated minority group and to demand Federal programs in employment, housing, child care, elderly services, health care, and education to rectify the effects of past and present racial injustices.

Founded in late 1969, Chinese for Affirmative Action is a San Francisco-based, nonprofit voluntary membership organization dedicated to defend the civil rights of and to promote equal employment opportunities for Chinese Americans. Over 1,300 dues paying members annually support the civil rights activities of Chinese for Affirmative Action. With a small paid staff and a corps of community volunteers, Chinese for Affirmative Action has fought to:

- eradicate all forms of racial discrimination against Chinese Americans;
- promote equal employment opportunities for Chinese through affirmative action programs in the private and public sectors;

- secure a fair share of public resources (Federal, State and local) for the Chinese community;
- persuade broadcast and print media to portray Chinese Americans accurately and to produce programs to meet our educational and cultural needs.

Through our efforts to combat employment discrimination, Chinese for Affirmative Action has worked vigorously to dispel the myth that Chinese and Asian Americans are a silent, noncomplaining minority group. Chinese for Affirmative Action annually assists over 125 individuals of Chinese ancestry who feel that they have been victims of racially discriminatory employment practices or victims of police harassment. Our clients range from blue-collar workers (e.g., custodians, hotel maids, telephone installers) to professionals (e.g. engineers, accountants, economists.)

Upon receipt of a complaint, Chinese for Affirmative Action attempts to meet with the employer in question to secure an informal resolution of the grievance. If not possible, Chinese for Affirmative Action helps the complainant to file with the State fair employment practices commission (FEPC) and the Equal Employment Opportunity Commission (EEOC). Depending on the findings of these agencies, Chinese for Affirmative Action may assist the client to identify appropriate legal counsel to pursue the complaint in Federal count.

Let me cite a specific example of how Chinese for Affirmative Action assists employment discrimination victims.

Mr. Eddy Chan, an assembler, was terminated by Morrison Imports. Mr. Chan was paid less for equal work and was given less days off than non-Chinese workers.

When Mr. Chan first filed for unemployed benefits, his claim was denied by the local unemployment office of the State employment development department. On appeal, the State unemployment appeals board affirmed Mr. Chan's claim of racial discrimination and granted him unemployment benefits.

Concurrently, Chinese for Affirmative Action helped Mr. Chan to file a complaint with the State fair employment practices commission (FEPC). The FEPC investigator confirmed that Mr. Chan was paid less for equal work and was given less days off. The investigator convinced the respondent, Morrison Co., to settle with a cash award for Mr. Chan, instead of hiring an attorney to fight the complaint.

For every successful case like Mr. Chan's, there are many more complaints that are not adequately resolved at the employer or FEPC or EEOC level. While certain persons may argue that some of our clients may not have good Title VII employment discrimination cases, the outcome of complaints filed by Asian Americans is largely dependent on how aggressively public enforcement agencies pursue these complaints.

Asian Americans account for approximately 20 percent of the population of the city and county of San Francisco, thereby constituting the largest concentration of Asian Americans in any single, major city in the continental United States. In the San Francisco-Oakland Bay area as a whole, 6 percent of the total 3.1 million residents are Asian Americans. Do Asian Americans enjoy equal entry and promotional employment opportunities with the hundred of private and public employers located in the San Francisco Bay area? No. Employment discrimination studies, conducted by ASIAN, Inc. and public agencies like the San Francisco Human Rights Commission, indicate that Asian Americans continue to be underrepresented in numerous occupational fields and industries and are deprived equal employment opportunities at their work place.

Yet given this pervasive pattern of employment discrimination against Asian Americans, it is virtually impossible for the few Asian American civil rights groups located in the San Francisco Bay area to review and monitor all the affirmative action programs adopted by private and public employers in response to Federal and State regulations. Federal and State enforcement agencies located in Region IX, San Francisco, and in Washington, D.C., then play a vital role in determining whether the civil rights of Asian Americans are protected and equal employment opportunities are a reality for Asian Americans.

Chinese and Asian Americans too often are victims of neglect by Federal agencies empowered to enforce this country's civil rights laws and affirmative action regulations. The Civil Rights Act of 1964, as amended, is a sound Federal law. The Voting Rights Act of 1965, as amended in 1975 with the bilingual election provisions, is landmark legislation in mandating the inclusion of millions of ethnic minorities across the country to participate equally in the electoral process. But the effectiveness of these laws and various affirmative action regulations is directly dependent on how well appropriate Federal agencies pursue their mandated responsibility of enforcement.

While Chinese for Affirmative Action does not necessarily advocate that only Asian personnel should handle complaints filed by Asian Americans or should review and approve affirmative action plans affecting the Asian American community, it is crucial that Federal and State enforcement agencies in the San Francisco Bay area and Region IX be staffed with an appropriate number of Asian American employees throughout their respective work forces. Inhouse sensitivity towards employment discrimination problems faced by Asians can only enhance the capabilities of these agencies to understand the unique needs of Asian Americans and to initate appropriate relief.

A review of the work force of the San Francisco district office of EEOC and the Regional Office of HEW's Office for Civil Rights indicates that these two agencies are barely meeting the affirmative action goal of employing Asian Americans. Consequently, to the best of our knowledge, neither of these two offices has taken any substantial initiative to remedy systemic discriminatory employment practices afflicting members of the Asian American community. Departmental priorities have normally been placed with other ethnic minority or women groups.

Within the San Francisco EEOC office, there are over 60 professional staff members, of which 5 are Asian Americans. Only 1 Asian is at the GS-12 level. No Asian professional holds a supervisorial position. At the EEOC litigation center, there are only 2 Asian attorneys out of a total legal staff of 26.

At Region IX HEW's Office for Civil Rights, prior to the recent agencywide hiring increase, Asian Americans accounted for approximately 10 percent of the regional staff. But 50 percent of these Asian Americans were slotted in clerical positions. During this recent hiring increase, Chinese for Affirmative Action literally had to convene a meeting with the director of HEW/OCR, principal officer of Region IX HEW, and a personnel officer of HEW to track and monitor the status of Asian applicants for the position of equal opportunity specialist (EOS). Many Asian applicants complained to Chinese for Affirmative Action that their applications were getting lost in the personnel department or not being processed or rejected because of alleged "lack of experience." One Asian attorney, who had previous experience with a Bay area legal aid firm, was initially rejected entry onto the EOS list. He then took it upon himself to enter HEW as a lowly-paid clerk so that he could get his foot into the door. Eventually, on a second application, he was deemed "qualified" for the EOS list and then got promoted to a EOS GS-7.

There is absolutely no reason for this kind of treatment of Chinese applicants by a Federal agency that has the mandate to enforce the civil rights law.

Fifty percent of the Chinese community in San Francisco are non-English speaking, as is the case with most other Chinese communities in the country. A very substantial segment of our community is comprised of poor, elderly persons. Yet, only within the last 6 months, a Chinese EOS was hired and assigned to HEW/OCR's Health and Human Development Division for the first time.

Those who get served are, by and large, determined by those who do the serving. According to a recent article in the San Francisco Sunday *Examiner/Chronicle*, the San Francisco-based U.S. District Court of Northern California is enforcing about 69 consent decrees which grew out of race and sex bias litigation. A total of 6 labor unions, 14 public agencies, and 49 private industries have obligated themselves to undertake steps to promote the hiring and promotion of minorities and women. Less that 15 percent of all these consent decrees mention and/or include relief directed towards Asian Americans. The other 85 percent deal exclusively with non-Asian minority and women groups. Four of the six labor unions have signed consent decrees involving Asian Americans, but already three of these four labor unions have been cited for failing to hire an adequate number of Asian American apprentices and journeypersons as promised.

Chinese for Affirmative Action is convinced that the protection of civil rights of Chinese and Asian Americans is dependent on several factors:

- vigorous and vigilant enforcement of civil rights and affirmative action regulations by appropriate Federal agencies;
- substantial community interest and support for civil rights activities;
- coalition efforts with other ethnic minority and women groups;
- persistence and self-determination by civil rights groups to review, monitor, implement, when appropriate, court decisions, consent decrees, and voluntary affirmative action programs affecting employment opportunities for members of our community.

Listed below are some specific cases and action undertaken by Chinese for Affirmative Action to defend the civil rights of Asian Americans and to promote equal opportunities in our community. In some instances, the appropriate Federal/State enforcement agency failed to adequately enforce the law or regulations. In other circumstances, the agency lacked meaningful or workable standards to enforce the law.

I. *Chinese for Affirmative Action* v. *S.F. Police Department*

In 1975 Chinese for Affirmative Action filed a Title VI complaint with the U.S. Department of Justice's Law Enforcement Assistance Administration against the San Francisco Police Department, alleging that the lack of bilingual police services constitutes racial discrimination against Chinese Americans, particularly those who do not speak English. LEAA officials conducted an onsite investigation and interviewed both complainants and respondents. LEAA never issued its findings or decision.

In March 1977 Chinese for Affirmative Action refiled our Title VI complaint with LEAA under the then newly elected presidential administration.

A LEAA investigator came out to San Francisco to examine the problem. Per our allegation, his investigation revealed that during the day on any given day of the week, no police officer assigned to Chinatown or the Richmond district could communicate effectively with the non-English-speaking Chinese population. Further, Chinese-speaking residents experienced delays of several hours sometimes before receiving appropriate help from the police department.

The San Francisco Police Department and LEAA eventually signed a resolution agreement on December 21, 1977, wherein the police department agreed to take specific steps to improve police services to the Chinese-speaking community. LEAA hailed said resolution agreement for setting a national precedent in meeting the needs of a language minority group.

The resolution agreement specifically called for the following: (a) expanded recruitment efforts of Chinese applicants for patrol officer positions, (b) inclusion of Chinese Americans on oral interview boards for police jobs, (c) assignment of bilingual police officers to antiextortion unit, (d) language training for those police officers interested in improving Chinese language skills.

II. *Officers for Justice* v. *S.F. Civil Service Commission*

As a coplaintiff, Chinese for Affirmative Action joined with Officers for Justice, League of United Latin American Citizens, S.F. NOW, NAACP, and 36 individual police officers to file a Title VII Federal lawsuit against the San Francisco Civil Service Commission and San Francisco Police Department for disciminatory hiring and promotional practices. When this suit was filed in 1973, no more than 5 Chinese police officers were members of the 1,900 strong police force, accounting for less than 1 percent of all patrol officers. Based on preliminary arguments presented to him, the Federal judge struck down the 5' 8" height requirement which had an adverse impact against Asians, Hispanics, and women. The city was also ordered to administer a job-related entrance examination and to hire 60 female police officers immediately.

After 6 years of litigation, earlier this year all parties concerned agreed to a consent decree which, among several major provisions, calls for a 50 percent hiring goal of minorities at the entry level. A total of 29 Chinese bilingual police officers will be hired by 1984, in addition to those who are on the police force now. The promotion of minority police officers to the promotional ranks of sergeant, lieutenant, and captain will reflect the percentage of qualified minorities at the entry level; $500,000 has been earmarked for ensuring the validity of all police examinations and providing training opportunities for members of the affected classes.

In the current police recruitment drive, 20 percent of all applicants are either Asian or Filipino Americans. By the end of the 20th century, Asian Americans should comprise a significant percentage of the San Francisco police force, thereby quashing the stereotype that Asians are not interested in law enforcement work.

III. *Chinese for Affirmative Action* v. *Kaiser Hospital*

In 1975 Chinese for Affirmative Action filed a Title VI complaint against Kaiser Hospital's prepaid health plan with Region IX HEW's Office for Civil Rights for a lack of adequate bilingual health personnel. HEW/OCR sat on the complaint for a couple of years without knowing what to do with it. Then HEW/OCR forwarded this complaint to its headquarters in Washington, D.C., for further agency action. It took a total of 4 years for HEW/OCR to develop and approve an appropriate investigatory plan.

Investigation is currently underway. Chinese for Affirmative Action is assisting HEW/OCR to identify Kaiser health plan members who have either been denied or unable to use health services there because of the lack of bilingual personnel, signs, and forms.

In a related matter, last year Chinese for Affirmative Action joined with the Mexican American Legal Defense and Education Fund to file a petition for rulemaking with HEW to establish bilingual health standards.

IV. *Chinese for Affirmative Action, Self-Help for the Elderly; Chinese Newcomers Service Center* v. *City & County General Hospital*

In May 1978 petitioners filed an administrative Title VI complaint against City & County General Hospital and Emergency Services for a lack of adequate bilingual health personnel with the State department of health's office of civil rights.

State OCR conducted an extensive 2-week investigation of San Francisco General Hospital. Three percent of all patients during this period were monolingual, Chinese-speaking persons. OCR found that there was a lack of Chinese bilingual telephone operators, signs, forms, and health personnel in obstetrics/gynecology/ pediatrics, labor/delivery, nursery, laboratory/pulmonary, emergency triage, and emergency admitting.

Settlement discussions are in progress. The city has indicated a willingness to translate hospital signs and forms, to convert Chinese and other language-minority interpreters from CETA to permanent civil service status, to conduct staff training on bilingual needs, to increase bilingual recruiting efforts, and to improve Chinese bilingual telephone services.

V. *Chinese for Affirmative Action* v. *KCBS & FCC*

In November 1974 Chinese for Affirmative Action filed a petition to deny the license renewal application of KCBS–AM for a lack of equal employment opportunities for Asian Americans and bilingual news programs. Of 80 plus employees, not more than 1 Asian was ever employed at the same time at KCBS. Usually, the employment of Asian Americans lasted very short periods and at the lowest paid positions.

The Federal Communications Commission dismissed our complaint without conducting a hearing on the issues of our petition to deny. Chinese for Affirmative Action then filed an appeal against both KCBS and FCC at the Washington, D.C., Circuit Court of Appeals. At the three-judge panel, the court affirmed Chinese for Affirmative Action's charge that our petition was dismissed prematurely. On rehearing though, the court *en banc* ruled in favor of KCBS and FCC.

Nevertheless, in the interim, KCBC moved to improve its news coverage of the Chinese community and started to be more conscious of their hiring policy towards Asian Americans.

VI. *Chinese for Affirmative Action et al.* v. *Leguennec*

In October 1975 Chinese for Affirmative Action, League of United Latin American Citizens and five individual plaintiffs filed suit in Federal court against the San Francisco Registrar of Voters for noncompliance with the 1975 bilingual election amendments of the Voting Rights Act.

The district court judge dismissed our complaint without conducting a hearing on the merits of our complaint. Plaintiffs filed an appeal with the Ninth Circuit Court of Appeals. The court remanded the case to the district court level in 1978 on the basis that our charges merited full and fair judicial review.

The city appealed this decision to the U.S. Supreme Court on the premise that the Voting Rights Act contravenes the 13th amendment. Earlier this year, the U.S. Supreme Court denied the city a hearing on its appeal.

VII. *United States* v. *SF Registrar of Voters*

Based on complaints forwarded by Chinese for Affirmative Action and other civil rights groups, the U.S. attorney's office in San Francisco observed the conduct of bilingual elections in San Francisco during the 1978 June primary election. Findings of the U.S. attorney's office indicated that, despite the obvious need, non-English-speaking voters did not receive bilingual assistance at the polls.

In October 1978 the U.S. attorney filed a lawsuit against the San Francisco Registrar of Voters for noncompliance with the 1975 amendments to the Voting Rights Act. The court ordered the San

Francisco Registrar of Voters to work with the secretary of State and interested community groups to identify election polls in need of bilingual oral assistance, to recruit and hire bilingual poll officials, and to provide adequate training for poll officials assigned to language-minority precincts. The court also empowered a Federal examiner to hire Federal observers to be stationed in language-minority precincts. A total of 120 Chinese and Spanish precincts were monitored during 1978 November general election.

VIII. *Chinese for Affirmative Action & League of Women Voters* v. *SF Registrar of Voters*

In 1978 plaintiffs filed an administrative complaint with the California Secretary of State against the San Francisco Registrar of Voters for not complying with State election laws on voter outreach efforts in underregistered neighborhoods. In the case of San Francisco, language-minority and black neighborhoods were predominantly underregistered and underrepresented.

The secretary of State sent an investigator to San Francisco to examine the problem. While it was obvious that the San Francisco Registrar of Voters did little in the way of voter outreach, the secretary of State took no action because her office failed to establish standards on voter outreach.

IX. *Henry Chan et al.* v. *San Francisco Unified School District*

Currently, Chinese for Affirmative Action is representing over 45 Chinese teachers, most of whom are recent hires, who have received notices from the San Francisco Board of Education that they may not be employed for the 1979–80 school year. State education codes prohibit the use of double seniority lists to protect affirmative action gains of recent years. Chinese for Affirmative Action is arguing that many of these teachers with bilingual credentials should be retained over more senior teachers in order that educational services for limited- and non-English speaking students are not compromised next school year.

Employment Discrimination and Strategies: From Benevolence to Legal Struggle

by Anthony Kahng*

Asian Americans Must Litigate

The United Pilipinos for Equal Employment, a nonprofit organization, and Purisima Salazar, an Asian American former Blue Shield employee, commenced a lawsuit against California Blue Shield on June 27, 1973. The United Pilipinos and Salazar, in their class action, claimed that California Blue Shield prevented Salazar and other Asian Americans from being promoted to supervisory and other managerial positions on the same basis as whites. These parties were represented by the Asian Law Caucus of Oakland, California, and alleged violations of Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1866, the Civil Rights Act of 1871, and the 14th amendment to the United States Constitution.

The legal action sought money damages, an end to the alleged racially discriminatory employment practices, and implementation of a supervisory and managerial training and promotional program. In response to these allegations, California Blue Shield denied that it engaged in any such discriminatory practices. Nevertheless, the Blue Shield agreed with the Asian Law Caucus to negotiate a proposed settlement of the issues.

On July 1, 1974, the Asian Law Caucus and Blue Shield agreed to a compromise settlement of all Title VII issues in this case. This proposed settlement was tentatively approved by the district court and the following is only a summary of the settlement:

(a) Establishment of goals and timetables for the representation of Asian Americans and other minorities at all levels of the Blue Shield work force;[1]

(b) Initiation of a presupervisory development program. The purpose of this program is to develop a pool of trainees with managerial potential from which supervisory and other upper level positions will be filled insofar as possible. Within this program, Blue Shield seeks to achieve a balance in the racial composition of the management personnel of Blue Shield and to the total Blue Shield San Francisco area work force. This program is intended to develop a pool of eligible employees for promotion to supervisory and other managerial positions. Insofar as possible, only persons who have participated in and completed the presupervisory development program will be promoted. Minority group representation at all supervisory levels in reasonable proportion to the percentage of such persons in the full work force is intended to be established by 1980.

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[1] United Pilipinos for Equal Employment v. California Blue Shield, U.S. District Court, San Francisco, Nov. 4, 1974.

(c) Establishment of an English oral delivery training program. This program will provide for the improvement of English skills for any employee of Blue Shield who desires to take such a course.

(d) Modification of the corporate management human relations training, "Supervising the Minority Employee," to include special material on Asian American and other minority employees.

(e) Establishment of a fund of $50,000 by Blue Shield against which members of the class who believe they have been discriminated against in promotion may make claims for back pay.

(f) Blue Shield will also pay to Purisima Salazar the sum of $9,886.79 on account of any claims arising out of or attributable to her employment by Blue Shield, to the Asian Law Caucus a sum of money for attorney's fees and costs of monitoring program implementation ($16,408.48), and to the Employment Law Center a further sum of money for consultative services ($5,000).[3]

The lessons to be learned from this case are invaluable. First, as a result of this litigation, the Blue Shield established the goals and principles of equal employment opportunity and affirmative action. Selection for such programs shall be nondiscriminatory and equal effort will be extended to recognize Blue Shield's existing minority employee percentages as a reference guide (target goal) when selecting such potential management personnel for training in San Francisco area operations. According to Blue Shield, such ethnic percentages are: total San Francisco supervision (target), 100.0 percent; American Indian supervisors (target), 0.3 percent; Asian American supervisors (target), 26.2 percent; black American supervisors (target), 17.8 percent; Spanish-surname supervisors (target), 3.6 percent; others (target).

Would the Blue Shield agree to a compromise settlement of Title VII issues in this case without resorting to litigation? Perhaps the answer is not. Therefore, the second most important lesson to be learned from this case is that Purisima Salazar set an unusual model for Asian Americans in this struggle for civil rights and equal employment opportunities. For so many years civil rights lawyers have been asking: Why don't Asian Americans resort to extensive litigation in order to protect their civil rights? Were Asian Americans recognized as minorities and a group that is considered disadvantaged? To ask these questions is to reexamine a set of Asian American attitudes and their perceptions in regard to their status and self-image in American society.

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[3] Id.

No one can deny that a very high level of legalism exists in American society. Often the most powerful testimony comes from the judiciary. For example, Justice Irving R. Kaufman of the Second Circuit Court of Appeals, in his address to several hundred Federal judges and lawyers on September 9, 1977, warned us that:

> Too often justice is painfully slow and prohibitively expensive. . . .The Federal judiciary is barely afloat in a sea of litigation, and the tide is rising. One Stanford Professor estimated that, if the rate of growth of federal appeals remains constant, by the year 2010 one million federal appeals will be decided across the country each year. Such a workload would require 5,000 appellate judges. Nor does the future seem brighter for the district courts. In the last decade filings of civil actions have increased 84%. Plainly our judicial system cannot long endure such an onslaught of cases. We have two choices: reform—or disaster.[3]

In October 1974 Chief Justice Warren E. Burger gave us a similar prediction that the caseload of the Supreme Court, then more than 3,000 a year, would double in 1987 if no steps were taken to deal with what he called the "appalling mass of litigation" inundating the Federal court system. Within a decade, unless we find more solutions, he said in a year-end review, "we may well see the nine Justices facing a case load exceeding 7,000 cases a year, nearly one new case every hour of the day and night, weekdays and weekends included."[4]

"Unless jurisdiction is curtailed," he said, "continued escalation of litigation could require 900 Federal judges by the end of this decade." It was exactly against this background that a study group headed by Professor Paul A. Freund of the Harvard Law School recommended a national court of appeals, just below the Supreme Court, that would screen out all but a few hundred of the most important cases and decide them without any higher appeal available.

Although it is possible to interpret the statistics in a variety of ways, the Supreme Court statistics suggest a rapidly increasing resort to legalism. Therefore, it is safe to characterize the American culture as a "litigation" or "power" culture. By all means, it has been said that the

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[3] Irving R. Kaufman, Cost and Delay—The Demons of the Judicial Process, U.S. Court of Appeals for the Second Circuit, Sept. 9, 1977, pp. 1–4.

[4] *New York Times*, Jan. 7, 1974, p. 10; Oct. 14, 1974.

Americans are very litigious people, and they suffer from a "there ought to be a law" complex. Litigiousness, of course, varies from culture to culture, and the social meaning of litigation is different in different societies.

It is, therefore, necessary for all Asian Americans to realize that the litigation could play an extremely significant role in the context of American society. The journey from the Chinese Exclusion Act of 1882 to Title VII of the Civil Rights Act has not been easy, nor ought it have been. We are still fighting the battles of extremely sophisticated and widespread discrimination in employment. For this reason, it is an urgent task for Asian Americans to develop a nationally coordinated strategy in terms of dealing with the question of employment discrimination. Although there are numerous Asian American organizations, how effective are they in terms of grasping and dealing with the American legal process? Why are they so timid?

A legal tradition is a set of deeply rooted, historically conditioned attitudes about the nature of law, about the role of law in the society, about the way law is or should be made, applied, studied, perfected, and taught. In essence, the legal tradition relates the legal system to the culture of which it is a partial expression.[8]

Asian American Legal Tradition

Historically, in many respects the Hebrew society of the Old Testament is identical with the Asian status of law societies of the Far East. Even so there is one basic difference between the patriarchal family of the Hebrew and that of a non-Aryan Buddhist, Taoist, or Confucian society. In the Old Testament, from beginning to end, the emphasis is upon law.

On the contrary, in Asian societies, the use of law as a method for settling disputes is regarded as something to be avoided. For example, in examining the classical Chinese attitude toward legal conflict, Professor Northrop succinctly pointed out:

> To turn one's private, determinate, introspected conviction into immortal moral and religious issues, thereby giving rise, as the moral, legal, and religious teachings of the West tend to do, to costly legal disputes to the bitter end in law courts, during which every party loses and a fair balance of justice to both parties under all the circumstances tends to be lost. . .the traditional Chinese believes that the existence of such Western egocentric determinate moral and religious commandments is a sign of the absence, rather than the presence of moral and religious wisdom.[9]

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[8] F.S.C. Northrop, *Philosophical Anthropology and Practical Politics* (New York: Macmillan, 1960), p. 160.

[9] Ibid., pp. 390–91.

For the same reason, the assumption of the Western court that one side or the other must get the verdict is, to Chinese and other Asians, an expression of the fallacious notion that the determinate character holding for both parties and that, consequently, the determinate conduct of one must be right for both and the determinate conduct of the other wrong for both.

What is true of the Confucian Chinese legal culture is true also of the Korean, Thai, and Japanese societies in this matter. In concert with the Chinese legal tradition and moral value, Professor Hahm presents a traditional Korean viewpoint in terms of their deep-rooted attitudes toward litigation:

> The Koreans, like most other Asian peoples, have never had a clear concept of a "legal right." Nor have the Koreans had a clear notion of what the term "legal obligation" means. . . .For a Korean, it is not decent nor "nice" to insist on one's legal right. When a person hauls another person into court, he is, in fact, declaring war on him. This signifies a complete breakdown of the traditional "decent" way of solving disputes. He is now resorting to norms made by the state and enforced by the governmental power. He has lined himself up on the side of the bureaucrats to use the power of the state to oppress his fellowman. Thus, a Korean cannot think of law as anything other than oppressive. A person who uncompromisingly asserts his right given to him by the law is an indecent and callous man, a person who lacks the arts of gracious social living, that is, the virtues.[7]

In a similar vein, Professor Sawada at Sophia University in Tokyo made the following comments:

> The notion of "legal right" does not flourish in an interdependent, communal society, where the supreme social dictate is spontaneous mutual help. In a society where the concept of right is absent and neglect of logic is notable, codified private laws cannot take deep roots. Contracts are viewed not as a set of legal claims, but as an evidence of certain social or personal relations. Litigation, or even mediation by a third person, is repugnant. Whenever adjustment of interests becomes necessary, the Japanese prefer settlement in private.[8]

To enforce the Asian legal culture it is quite appropriate to cite Professor Northrop's observation on Siam:

> Notwithstanding the Western type of national law on the French model which Siam has adopted, one finds that not merely at the village level where Western influence has less effect, but

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[7] Pyong-Choon Hahm, *The Korean Political Tradition and Law* (Seoul, Korea: Hollym Corp., 1967, pp. 189–90.

[8] Toshio Sawada, *Subsequent Conduct and Supervening Events* (Tokyo, Japan: University of Tokyo Press, 1968), pp. 225–26.

> even at the top Supreme Court level. The Chief Justice in 1950, before he would open a trial between Thais in the Western manner, would often first attempt to get the disputants to leave the court and settle their differences by themselves.[9]

Many other examples could be cited, for we have only touched the surface of the Asian legal culture. In essence, a propensity for parties to resort to peacemaking efforts, public and private, for the settlement of disputes between them is an expression of the deep-rooted Asian moral value. Therefore, the conception of moral conduct as peacemaking without particular regard to litigation is exactly a part of that culture, a very old and firmly held part. This is the folklore of the working legal process in the Asian legal culture. It should also be kept in mind that many Asian American immigrants were and still are deeply impregnated with this type of legal tradition.

This is the reason why many Asian Americans are still inclined to believe that a peacemaking attempt to work out a negotiated settlement is more civilized, humane, mature, and even preferable to justice through adjudication process. Perhaps this cultural attitude explains the massive rejection of the American style of "litigation or sue culture" by Asian Americans.

The specific reason for their rejection of the American litigation culture is that the adjudication route invites game playing, the use of charges and countercharges as tactical maneuvers. In other words, Asian Americans are deeply afraid that the American style of "sue culture" may permeate more distrust between the parties and, perhaps, would inflict irreparable damages to the quality of human relationships in our society.

Asian American Perspective on Affirmative Action

In the crude jungle of the American litigation culture, the Asian American legal heritage became not only a severe psychological drawback but also a serious liability to Asian Americans in their pursuit of civil rights and equal employment opportunities. At this critical juncture, a viable strategy for the Asian Americans is to join the American national sport of litigation because that is the American way. In other words, we need more *United Pilipinos for Equal Employment* v. *California Blue Shield* type of Title VII litigation. Under the circumstances, what alternatives do we have?

In *University of California* v. *Bakke,* [10] the minority of the Supreme Court professed a very noble concept:

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[9] Northrop, pp. 160–61.

[10] Bakke v. The Regents of the University of California, 18 Cal. 3d 34, 132 Cal. Reptr. 680, 553 P.2d 1152 (1976); University of California v. Bakke, CCH Report 46, June 29, 1978.

> Our society and jurisprudence have always stressed the value of voluntary efforts to further the objectives of the law. Judicial intervention is a last resort to achieve cessation of illegal conduct or the remedying of its effects rather than a prerequisite to action.[11]

This noble concept, however, was contradicted by Mr. Drew S. Days, III, Assistant Attorney General for Civil Rights, when he pointed out in an interview immediately following the Supreme Court decision in the *Bakke* case:

> I have always found it amazing that people thought that the *Bakke* decision was going to say something that would cause all lawsuits to cease. We are a very litigious country. We go to the courthouse before we do anything else sometimes.[12]

Although the Supreme Court minority concept in *Bakke* is parallel to the Asian American concept of "moral persuasion," can we seriously persuade the major corporations and institutions not to discriminate against minority people by adopting such an approach? It is only honest to admit that the Assistant Attorney General for Civil Rights, Mr. Days, was right when he pointed out that "we go to the courthouse before we do anything else sometimes." Otherwise, would we have the Supreme Court decisions such as *Brown* v. *Board of Education* ,[13] *Griggs* v. *Duke Power Co.,* and *Franks* v. *Bowman Transportation Co.* [14] *Bakke v. The Regents of the University of California* [15]

From a minority pointed of view, it should also be pointed out that the majority of the Supreme Court in *Bakke* seriously misplaced the legal standard of "demonstrated compassion" on minority people. In *Bakke,* by ruling that race is a factor that is considered along with geographic location or athletic or artistic ability, the Supreme Court suggested some other qualities that might be considered: unique work or service experience, leadership potential, maturity, demonstrated compassion, a history of overcoming disadvantage, ability to communicate with the poor, or other qualifications deemed important.[16]

The important questions in the context of the *Bakke* decision are: Why should a minority person "demonstrate compassion"? Why can't a minority person be as individualistic and selfish as Allen Bakke? Isn't it a little absurd to ask the minority people to "demonstrate compassion" when "there is no empirical data to demonstrate that any one race is more selflessly socially oriented or, by contrast, that another is more selfishly acquisitive"? Finally, how compassionate is the white majority for the plight of minorities? After all, the minority people have been too "compassionate" to endure a long history of invidious racial discrimination. If the Supreme Court could place the quality of "demonstrated compassion" on the part of the white majority, many racial injustices could have been alleviated.

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[11] Id. at 41–42.

[12] *New York Times,* July 2, 1978, PE–1.

[13] 374 U.S. 483 (1954).

[14] 401 U.S. 424 (1971).

[15] 96 U.S. 1251, 1269 (1976); 12 FEP Cases 549 (1976).

[16] CCH Report 46 at 48.

Since the *Bakke* case "reverse discrimination" has become the obsessive concern of the white majority; the eradication of ingrained racial injustice can wait. By the same token, is affirmative action "reverse discrimination?" To find out, Potomac Associates conducted a survey designed to probe the attitudes, hopes, and fears of Americans. The results are presented and analyzed in *State of the Nation 1974.* This book captures America today in a fascinating portrait. However, the picture that emerges is full of surprises. For example, in the area of social justice, we find a massive rejection of "affirmative action" programs (96 percent) and, in general, very limited "compassion" for all disadvantaged members of society.[17]

The latest Gallup poll, made in March 1977, was based on answers given in person to this question:

> Some people say that to make up for past discrimination, women and members of minority groups should be given preferential treatment in getting jobs and places in colleges.
>
> Others say that ability, as determined by test scores, should be the main consideration.
>
> Which point of view comes closer to how you feel on this matter?

The poll indicated that "an overwhelming majority of Americans believe that reverse discrimination should not be used in hiring people or determining admission to college." Seldom before have the American people been in such agreement on a controversial issue, the poll reported. Overall, 83 percent of the 1,550 adults interviewed in the survey said that preferential treatment should not be given to women or minority groups; 10 percent said it should be given; and 7 percent had no opinion.[18]

In view of the massive rejection of "affirmative action" by the white majority, how do we achieve racially oriented results without utilizing racially oriented means? How can we make the concept of empathy compatible with the egocentric Protestant ethic of individualism? In our achievement-oriented culture, how do we teach the white majority to "demonstrate compassion" for the plight of minorities without seriously asking them to reexamine their self-centered mentality and values? As a matter of fact, isn't this the crux of the underlying question of the *Bakke* case?

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[17] *State of the Nation 1974.*

[18] *New York Times*, Mar. 17, 1977, p. 1.

To put the point another way, why are the *Bakke* -mentality people so sensitive about the rights of a white person and so insensitive about the rights of the minority people? Why are the *Bakke* -mentality people using the language of the law under the guise of equal protection to defeat the spirit of the law? When institutional racism was going on in full swing for so long, did the *Bakke* -mentality people ever come forward for the minority people? When the Japanese Americans were herded into the concentration camps, where were the *Bakke* people?

The Asian Americans were told time and again that when you are in distress, dial 14—the constitutional ambulance. When blacks and other racial minorities dialed the 14th amendment and called for the constitutional ambulance, it never came on time or came always too late. When the Japanese Americans in grave distress dialed the 14th amendment, the constitutional ambulance refused to service them and said that "you have too much Japanese accent and we cannot understand your English." Why was the same constitutional ambulance so speedy and effective in rescuing Allen Bakke?

Reverse Discrimination Is an Absurd Concept

There is a good deal of potential conflict between the two concepts of affirmative action and reverse discrimination. From an Asian American point of view, reverse discrimination is an absurd concept. Ideally, race is and ought to be simply irrelevant to any legitimate objective. However, in view of the American reality, race is clearly necessary and relevant because the purpose of affirmative action is to remedy the continuing effects of prior racial discrimination against minority groups. This is the reason why Justice Blackmun suspects that:

> It would be impossible to arrange an affirmative action program in a racially neutral way and have it successful. To ask that this be so is to demand the impossible. In order to get beyond racism, we must first take account of race. There is no other way. And in order to treat some persons equally, we must treat them differently. We cannot—we dare not— let the Equal Protection Clause perpetuate racial supremacy.[19]

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[19] CCH Report 46 at 5.

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Because the effects of racial discrimination are not easily eliminated, mere neutrality toward race often is inadequate to rectify what has gone before. The Court, therefore, has upheld on many occasions remedial orders that require the government to use race to assist in the remedial process.[20] For example, in *Franks* v. *Bowman Transportation Co.*, the Supreme Court stated:

> If relief under Title VII can be denied merely because the majority group of employees, who have not suffered discrimination, will be unhappy about it, there will be little hope of correcting the wrongs to which the Act is directed.[21]

The Court observed that "adequate protection of Negro rights under Title VII may necessitate. . .some adjustment of the rights of white employees."[22] The Court, therefore, regarded its decision in *Franks* as establishing that "a sharing of the burden of past discrimination is presumptively necessary" and "entirely consistent with any fair characterization of equity jurisdiction."[23]

Why is reverse discrimination an absurd concept? According to the Institute for the Study of Educational Policy:

> The phrase "reverse discrimination" connotes that Blacks and other minorities now will do to whites what whites have done to them for over 300 years. There is no way, of course, that this can happen. There is no way that Blacks and other minorities can brutalize, degrade, enslave and dehumanize whites, as whites have done to them throughout this country's history. Furthermore, this is not the objective of Blacks and other minorities. Their objective is equality of participation in the American system.[24]

I, therefore, share the earnest hope of Justice Blackmun when he said that:

> The time will come when an "affirmative action" program is unnecessary and is, in truth, only a relic of the past. I would hope that we could reach this stage within a decade at the most. But the story of *Brown* v. *Board of Education,* 374 U.S. 483(1954), decided almost a quarter of a century ago, suggests that that hope is a slim one. At some time, however, beyond any period of what some would claim is only transitional in equality, the United States must

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[20] U.S. v. Montgomery Board of Education, 395 U.S. 225 (1969).

[21] 96 U.S. 1251, 1269 (1976).

[22] Id.

[23] Id. at 1270.

[24] Institute for the Study of Educational Policy, *The Bakke Case Primer* (Washington, D.C.: Howard University, 1978).

> and will reach a stage of maturity where action along this line is no longer necessary.[25]

Perhaps an affirmative action is the humanizing process of this increasingly dehumanized society.

National Coordination for Title VII Litigation

For many years Asian Americans have been portrayed as a quiet and hard-working minority with few of the visible social problems of American society. They have assumed white identities, that is, the values and attitudes of the majority of white Americans for the sake of survival. Now they are seriously beginning to take a more realistic view of themselves. The civil rights movement of the 1960s was significant for Asian Americans in terms of awakening their racial identity. Yet that is but a beginning for Asian Americans in learning the significance of Title VII litigation.

In America what you do is what you are: to do nothing is to be nothing; to do little is to be little. Particularly, employment not only controls the present for Asian Americans, but, in a most profound way, it is creating the future as well. The principal measure of progress toward equality will be that of employment. It is the primary source of individual or group identity. Perhaps discrimination in employment means a capital punishment in a society in which what you do is what you are. Therefore, Asian Americans must seriously consider the following strategies and recommendations in dealing with employment discrimination.

From Benevolence to Legal Struggle

As has been stated earlier, Asian Americans must litigate in terms of shifting their pre-civil rights attitudes of benevolence to social and legal struggle as a minority people. Since the court is a powerful institution equipped to attack racism, Asian Americans must carefully weigh the value of litigation as a social instrument. There are numerous Asian American community and political organizations. How effective are they in terms of dealing with employment discrimination? Are their organizational priorities and perceptions in tune with Title VII litigation? When an individual member has a Title VII complaint, what type of organizational assistance can he or she expect?

Basically, the philosophy of many Asian American organizations has been developed along the concept of benevolence or picnic organization. This is the heart of the problem with Asian Americans and employment discrimination. For this reason, as has been shown earlier, the lessons to be learned from the California Blue Shield case are invaluable to all Asian Americans.

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[25] CCH Report 46 at 1.

Since discrimination on the basis of race, color, religion, sex, or national origin is by definition class discrimination, it is grossly inadequate to place the financial burden of carrying on a Title VII complaint on an individual person who is not only vulnerable to the corporate or institutional pressure, but also has a very limited resource. For example, a Chinese American paid $5,000 for his attorney and received a Title VII complaint settlement in the sum of $4,000. Did he win or lose?

A viable alternative to individual litigation is organizational litigation. However, it is inconceivable to expect such a bold organizational direction or shift from the pre-civil rights concept of benevolence. Asian American leaders must seriously reexamine their archaic mentality of benevolence and develop a new organizational perception of employment discrimination. The experience of the past 15 years under the Civil Rights Act of 1964 has given us many of the legal and administrative tools needed to achieve a more equal status. These tools can only be effective when there is an organizational realignment in terms of shifting from benevolence to civil rights struggle. Thomas Paine aptly warned that: "Those who expect to reap the blessings of freedom must. . .undergo the fatigue of supporting it."

NLRB Over EEOC

In 1964 employment discrimination was thought to be a rather simple problem, fairly easily solved. By 1971 it was clear that employment discrimination was a difficult problem raising fundamental questions about American society. It was obviously a problem beyond the capacity of the EEOC to remedy. One of the prices paid for enactment of the Civil Rights Act of 1964 was the creation of an agency authorized to move against employment discrimination, but stripped of any power to do so.

It was against this background that an important question was raised: Should the EEOC be equipped with authority to issue "cease and desist" orders patterned after the NLRB? Unfortunately, these powers were deleted in the final version of the 1964 Civil Rights Act, leaving the Commission only advisory and conciliatory responsibilities. Until 1972 attempts to pass amendments giving the Commission enforcement powers, it had no more than a minimal impact in elminating employment discrimination based upon race, color, religion, sex, or national origin.[26]

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[26] Sape & Hart, Title VII Reconsidered: The Equal Employment Opportunity Act of 1972, 40 George Washington Law Rev. 824 (1972).

Although the National Labor Relations Act was certainly not intended to prohibit general employment discrimination, an examination of the legislative history of both the NLRA and the Civil Rights Act of 1964 reveals that Congress did not intend to preclude the NLRB from taking jurisdiction in cases involving employment discrimination on the part of unions or employers.

In many situations resort to the NLRB would be more effective than resort to the cumbersome and financially expensive Title VII procedures. Of great importance to minority workers, who frequently do not have adequate resources to pursue a Title VII claim to final exhaustion, is the fact that the NLRB provides a cost-free procedure from initial investigation to litigation in an appellate court. Further, the NLRB, unlike the EEOC, is not required to defer to State and local fair employment practice agencies.

In the context of concurrent jurisdiction between the NLRB and the EEOC, the Asian American organizations should adopt a viable strategy and may follow the pattern set by the Western Addition Community Organization, a local civil rights association, in the *Emporium Capwell Company* case.[27] In this case, Western Addition Community Organization filed a charge against the company with the NLRB on behalf of its two members who were dismissed by their employer.

Request the Commission Investigation on the Nurses Licensure Problem

The issue is to obtain licensure, particularly for Filipino medical and health professionals (FNGs) who are required to pass the State board examinations in the five areas of nursing education—medical and surgical, nursing, maternal and child health, obstetrics, pediatrics, and psychiatry. There is nothing objectionable in establishing procedures, but our initial findings indicate that FNGs consistently "fail" this examination at a 90 percent rate despite the fact that their competence, reliability, and excellent professional service have been tested for at least 3 months to 2 years of registered nurse (RN) practice in the United States prior to the examination.

Where does the problem lie? Does it lie in the foreign nurse or in the exam? We have reasons to believe it is the exam. Perhaps the exam is culturally biased. The method of examination (multiple choice/situational testing) and the use of complex phrasing and sentence constructions place foreign nurse graduates, who hold English only as a second language, at a great disadvantage.

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[27] Emporium Capwell Co. v. Western Addition Community Organization, 420 U.S. 50 (1975).

The examination also tests foreign nurse graduates on situations that can only be familiar to those who have lived in the United States for an extended period of time. Yet, they are not given any time to adjust to the American way of life or to the American health-care setting. In fact, they are forced to take the examination almost as soon as they arrive, regardless of whether the nurse feels prepared and ready to write the exam.

It is also possible that a deliberate quota that limits the licensing of FNGs exists. Why are examinees required to state their nationalities and to attach a photo in applying to the exam? Why are test papers marked with F(foreigner) or FR (foreigner/repeater)? Why are graded test papers not available for viewing, even to the nurse who wrote the exam? Upon failing the exam the unsuspecting victim falls prey to various hospitals that demote them and utilize their RN skills at a lower status pay scale.[28]

In May 1975 a report of the California Advisory Committee to the U.S. Commission on Civil Rights presented a partial picture of this issue.[29] Since the issue presents a serious question of civil rights problem, we hope that the Commission will explore this issue, which exists nationwide, in order to eliminate discriminatory licensure practices against FNGs.

Request the Commission Investigation on Nursing Home Practices

Another dimension to the plight of FNGs is a questionable practice by various nursing homes. Many nursing home operators are recruiting Filipino nurses and offering questionable terms and conditions of employment to them. For example, recently 16 Filipino nurses complained to the New Jersey Association of Filipino Nurses that: (1) no job description, (2) violations of professional ethics, (3) poor living conditions and accommodations, (4) invasion or privacy, (5) tense and under pressure.

In other words, many Filipino nurses are brought into this country by some nursing homes as indentured slaves. The questionable terms and conditions of employment present a serious question of civil rights.

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[28] National Alliance for Fair Licensure for FNGs, "National Community Conference Report," New York: April 30–May 1, 1977.

[29] California Advisory Committee to the U.S. Commission on Civil Rights, *A Dream Unfulfilled: Korean and Pilipino Health Professionals in California* (May 1975).

Chinese Economic Development Council, Inc.

by William J. Leong*

Introduction

The Chinese Economic Development Council (CEDC) is a community development corporation serving the Chinese American community in Greater Boston. Its purpose is to improve the socioeconomic conditions of the community. Initially, CEDC was funded under an Economic Development Administration grant to provide technical assistance to local entrepreneurs. CEDC's objective changed in October 1977 when it received a planning grant from the Community Services Administration/Office of Economic Development. CEDC presently receives grants of administrative and equity investment funds from GSA/OED.

CEDC addresses community needs through a comprehensive program focusing on business, housing, and community development. In the business sector, economic development funds will help start new businesses and improve existing ones. Similarly, CEDC plans to increase housing stock in the area and improve the buildings that already exist. In community development, CEDC has programs in the following areas: manpower development, group health insurance, youth, culture, cultural adjustment, and education. CEDC works with other agencies and institutions to revitalize the Chinese community as a whole and the Chinatown neighborhood in particular.

Manpower Development Needs

Introduction

The population of Chinatown (including the south end) numbers about 5,000 persons, mostly first-generation Chinese. Each year another 500 native Chinese immigrate to Boston from Hong Kong and Taiwan. Employment is not the only problem facing these immigrant Chinese. As documented below, the primary problems are language deficiency, low public educational achievement, high unemployment, extremely high underemployment, moderate earnings, limited sectoral opportunities in private business, and underrepresentation in the public sector.

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* William J. Leong is executive director of the Chinese Economic Development Council, Inc., 20 Hudson St., Boston, Mass. 02111. This paper is from the Council's Overall Economic Development Plan, dated Feb. 14, 1978.

TABLE 3.39

Extent of English Language Problems Among Boston Chinatown Residents

A: Extent of English Language Problems Among Boston Chinatown Residents by Age (1975)

Problem Area	Percent Chinatown Residents	
	Age: 18-32	33 and up
Aurally understand, speak, read, and write English		
At least fairly fluently	50%	18%
A little or more	50%	82%
Total	100%	100%

B. Extent of English Language Problems Among Boston Chinatown Residents by Sex (1975)

Problem Area	Percent Chinatown Residents	
	Males	Females
Aurally understand, speak, read English		
At least fairly fluently	40%	23%
A little or more	60%	77%
Total	100%	100%
Write English		
At least fairly fluently	29%	23%
A little or more	71%	77%
Total	100%	100%

Source: *Health Care Accessibility for Boston's Chinese Community,* Final Report to the Massachusetts Board of Higher Education contract no. 73-147-010 and no. 74-147-006, Tufts University Department of Sociology and other Affiliates and the Boston Chinese Community Health Services, Inc., December 1975.

English Language Deficiency

Lack of English fluency is a severe problem among Chinatown residents. The pattern among the middle aged is the same as that for elderly: very poor, only 18 percent are fluent, while 82 percent are not. Among youth, the pattern improves to 50:50, respectively. Fluency patterns are the same across the spectrum of aural, oral, read, and written English (see table 3.39A).

The pattern among females is worse than that among males. Only 23 percent of the females are fluent, while among males 40 percent are fluent in aural, oral, and read English, and 29 percent are fluent in written English (see table 3.39B).

TABLE 3.40

Extent of Underemployment in Boston Chinatown (1977)

A: Underemployment by Education	
At least some college education	8%
High school graduates	32%
Total	40%
B: Underemployment by Former Job Skills	
Professionals (engineers, teachers, accountants, doctors.)	14%
Skilled labor (mechanics, construction workers, acupuncturists, tailors, watch repairers, etc.)	24%
Semiskilled labor (HVAC installation, clerks, pastrymakers, truck drivers, hairdressers, appliance repairers, etc.)	16%
Total	54%

Source: Lee, Man-Leung. *CACA Adult Education English Program Survey*, March 1977.

Unemployment Rate

The unemployment rate in Boston Chinatown continues at about twice the national average. We estimate the present unemployment at about 16 percent. The source of this unemployment, as we shall see later, lies in the limited job opportunities in the base industries of the economy, as well as the language deficiency described above.

Underemployment Rate

Even worse than the unemployment rate in the labor force is the underemployment rate. A recent manpower survey estimates underemployment at a shocking 70 percent.

The Chinese labor force is characterized by low educational achievement in China, but high skill level training. Despite this, highly educated or highly trained laborers cannot secure jobs equivalent to those held prior to immigration.

About 8 percent of the resident population have at least some college education, but virtually none have college-level jobs. Another 32 percent are high school graduates, but work at menial jobs in restaurants (see table 3.40A).

About 14 percent of the labor force are professionals holding nonprofessional jobs. Another 24 percent of the labor force are skilled labor holding semiskilled labor menial jobs. In addition, unemployment is another 16 percent (see table 3.40B).

TABLE 3.41

Wages of Laborers in the Three Major Chinatown Industries (1977)

Restaurant industry:	
cashiers	$400 per mo. = $1.70 per hr.
waiters	$500 per mo. = $2.10 per hr.
busboys	$400 per mo. = $1.70 per hr.
head chef	$800 per mo. = $3.30 per hr.
dishwashers	$400 per mo. = $1.70 per hr.
Restaurant-related industry:	
shopkeepers, laborers, bakers, other semi-skilled labor	$400-600 per mo. = $1.70-2.50 per hr.
Garment industry:	
stitchers	$100-200 per wk. = $2.20-4.50 per hr. (for a 45 hr. wk.)
Electronic industry:	
assemblers	$120 per wk. = $2.75-3.00 per hr.

Source: 1. Lee, Man-Leung, *Manpower and Employment in Boston Chinese Community*, Thesis for the Degree of Master of Urban Affairs, Boston University Metropolitan College, 1977.
2. Interview with Milton Kaplan, manager of ILGWU Joint Board, Dec. 20, 1977.
3. Interview with owners of Advanced Electronics, Inc., Dec. 5, 1977.

Moderate Earnings

The earnings of the majority of the labor force remain below the Federal minimum wage. In the restaurant industry, most jobs pay about 20 cents to 60 cents less than the minimum. In the garment industry, earnings are substantially higher than the minimum on a piecework basis (see table 3.41). These jobs are, however, declining in number.

Concentrated Job Structure

The job structure for Boston Chinese is heavily dependent on the restaurant and garment industry. Over 72 percent of the jobs are in restaurants, while another 24 percent are in the garment shops (see table 3.42A).

The dependency is highly determined according to sex. A little over 75 percent of all males work in restaurants while a little under 75 percent of all females work in garment shops (see table 3.42B).

A No Growth Sectoral Concentration and Geographical Dispersion

The restaurant industry in Boston Chinatown is a saturated industry. The number of jobs has hovered around 430 to 450 since 1950. Growth

TABLE 3.42

Job Structure and Moderate Income Boston Chinese

A: Job Structure of Low- and Moderate-Income Chinese in Boston (1977)

	# Employees	% by Employees
Restaurants	2,100	72%
Garment industry	700	24%
Electronics	75	3%
Food Retailing	30	1%
Total	2,900	100%

Sources: 1. Dun & Bradstreet, *Market Identifiers*, 9/22/77.
2. *Massachusetts Industrial Directory*, 1974–75.
3. CEDC venture development team estimates.

B: Job Structure of Low- and Moderate-Income Boston Chinatown Resident by Sex (1974)

Occupation	Percent Employed Chinese Residents (18 years and other)		
	Males	Females	Total
Restaurant-related occupations [1]	77.3%	4.3%	35.4%
Stitcher	1.3%	72.9%	35.9%
Others	21.4%	22.8%	28.7%
Total	100%	100%	100%

[1] Includes waiters, cooks, bartenders, restaurant cashiers, dishwasher, and restaurant helpers.

Source: *Health Care Accessibility for Boston's Chinese Community* Final Report to the Mass. Board of Higher Education, contract no. 73-147-010 and no. 74-147-006, Tufts University Department of Sociology and Affiliates and the Boston Chinese Community Health Services, Inc., December 1975.

in Chinese restaurants is in the suburbs of Chinatown (see table 3.43). The increase of non-Chinese in these suburban jobs is not well documented.

As indicated, the garment industry in Chinatown is a declining industry. According to Milton Kaplan, manager of the ILGWU Joint Board, shops in or near Chinatown have decreased from about 80 after World War II to about 60 at present. A third of these 60, however, have moved from Chinatown to south and east Boston due to space requirements. While the total number of jobs has decreased, with union members dropping from about 5,000 to 3,700, the Chinese have increased their share to the present 700 level.

TABLE 3.43

Saturation of Jobs in Chinese Restaurants in Boston Chinatown (1940–1976) *

	1940	1950	1960	1970	1976
Chinatown	120	450	435	350	435
Other parts of Greater Boston	120	170	1,025	1,565	2,105
Total	240	620	1,460	1,915	2,540

Sources: 1) 1940–1970: *Chinatown Planning Project,* 1971 (Authors used 1940, 1950, and 1960 Boston Area yellow pages directories).
2) 1976: 1976 Boston Area yellow pages directory.
3) Botwright, Ken O., "An Exotic Front, but Chinatown suffers," *Boston Globe,* Dec. 11, 1969.
4) CEDC venture development staff estimates, 1/16/78.

* Not inclusive of all restaurants.

Limited Representation in the Growth Sector

Chinese employment in the lowest paying major industry—restaurants in Chinatown—is nearly 100 percent. In the highest paying but declining industry, that of the garment shops, it is about 30 percent Chinese. In the fastest growing industry, electronics, it is 8 percent. Clearly, the Chinese must increase their share of employment in industries which are expanding, particularly in the electronics industry (see table 3.44).

The largest employer in Chinatown, the electronics firm Teradyne, has about 1,000 employees in the leather district. Only 20 Chinese are employed there.

Chinese employment in the largest nonprofit institution, Tufts New England Medical Center (TNEMC), is also very low, though improving. In 1972 Chinese representation was just over 2 percent (see table 3.45). Therefore, Chinese labor is underrepresented in the growth sector of the local economy (see table 3.46). Potential Chinese employment in the construction trades on boundary development projects is great. Current estimates of the available jobs in the next decade are 5,600 construction jobs (see table 3.47).

Conclusion

Therefore, the manpower needs of Chinese are:

- English language training of 2,700, increasing at 500/year;
- New job creation and job placement of 3,300/year increasing at 500/year,
- Job training of 2,800 increasing at 500/year.

TABLE 3.44

Chinese Representation in Private Jobs in Chinatown (1977)

Industry	Number of Companies	Total # of Employees	# of Employees	% of Chinese
Garment	60	2,250	700	31%
Electronic	2	1,075	75	8%
Restaurant (inside Chinatown)	23	400	400	100%
Leather	7	160	n/a	n/a
Printing	10	150	7	5%
Footwear (not Leather)	3	90	n/a	n/a
Food wholesale	16	75	67	89%
Displays	2	10	n/a	n/a
Total	122	4,210	1,249	30%

Sources: 1. Dun & Bradstreet, *Market Identifiers, 9/22/77.*
2. *Massachusetts Industrial Directory*, 1974–1975.
3.CEDC Venture Development staff estimates 12/28/77.

NB: Estimates currently under revision.

In summary, manpower training programs are needed because the target group is primarily an immigrant population which does not currently possess marketable or transferable skills.

Manpower Development Plan

Program Goals

As indicated in section three, there is a need for training programs specializing in skill training and vocational/educational counseling to alleviate the problems in obtaining upwardly mobile employment for Chinese Americans. CEDC has defined the following goal for furthering manpower development in the community:

- **to lessen the unemployment and underemployment situation of Chinese American residents in Boston.**

Program Strategies

To bring about this goal, CEDC plans to pursue the strategies described below in its economic development activities.

By *providing job training,* CEDC hopes to utilize and build upon existing skills of the Chinese labor force for different jobs with similar skill requirements. Through these job training endeavors, CEDC hopes *to generate 50 new jobs* at the completion of each program. In line with the venture development activities which will be undertaken by the CEDC, the committees dealing with manpower affairs will

TABLE 3.45

Low Chinese Hiring by Major Employers in Chinatown (1977)

Firm	Total Number of Workers	Number of Chinese Workers	% Chinese
Teradyne	1,020	20	2%
TNEMC	3,500	70	2%
Total	4,520	90	4%

Source: 1. Personnel Department, Teradyne, 12/77.
2. Boston Chinatown, BRA, 1972.
3. CEDC Venture Development Staff Estimates, 1/8/77.

Table 3.46

Target Population of Manpower Needs in Boston Chinatown Target Population (1977)

English as a second language	2,700 (increasing at 500/year)
New jobs creation (Unemployment)	525 (increasing at 500/year)
Alternative jobs (Underemployment)	2,775
Job training	2,775 (increasing at 500/year)
Total Labor Force	8,775

Source: CEDC venture development staff estimates, 12/27/77.

NB: Estimates are currently under revision.

attempt to identify labor intensive investment opportunities for referral to the business development staff. Along with identifying such job creation potentials, specific training programs might be sought prior to venture establishment. Finally, CEDC will ensure that recruiting, appropriate training, and employment opportunities are provided for Chinese residents in the numerous development projects in and on the boundary of Chinatown.

Program Objectives

Initial 2-year funding period

- CEDC plans to establish two skills training programs,
- CEDC will conduct a labor market survey,
- CEDC will seek employment opportunities for Chinese outside of Chinatown.

Table 3.47

Estimated Construction Jobs from New Boundary Development (1978–1988)

	No. of 1-Year Construction Jobs	No. of Minority Set-aside
Park Plaza Phase 1	373	10%
Lafayette Place	1,467	10%
South Station Hotel	NA	10%
Arena	NA	
MBTA New Orange Line	4,000/yr. = 18,000 Total over 4½ years.	30%
Total	19,800	5,580 Man-years or 28% of the total

Source: (1) Park Plaza, Urban Renewal Project/Final Supplemental Environmental Report BRA/Sept. 1976 /E.O.E.A. 973
(2) BRA, Alice Boelter, Jan. 4, 1978
(3) Central Transportation Planning Board Southwest Corridor Office, Ken Kruckmeyer, January 1978.

Years 3 through 6 of the development period

- On the basis of the findings resulting from the labor market survey, the feasibility of initiating further manpower programs will be studied, and if warranted, proposals will be prepared and additional funding sought.

Project Description

For its initial funding period, CEDC is considering several projects which will fulfill the stated objectives. For an indepth explanation of how these projects are to be accomplished, the initial funding proposal, January 1978, should be referred to.

Project 1—Manpower Development Program

Two functions will be carried out inhouse in order to accomplish this project. A research team will conduct a labor market survey to assess how existing skills can be transferred to different markets. The study results will be provided to the CEDC venture development staff for use in its venture selection. Additionally, training programs will be sought to provide community members with basic employment skills (multiclerical, keypunch, electronic assembly, homemaker services, etc.). CEDC has applied for CSA Title II funds to maintain this program. It hopes to receive funds from DOL, CETA, HEW, and other sources as well.

Project 2—Chef's Training School

CEDC anticipates setting up a chef's training school which will conduct two 6-month training sessions each year. Students will attend classes in specialized chef's training, general kitchen instructions, and English language instructions over a 30 hour per week schedule. Seminars on nutrition, health, sanitation, safety, and kitchen management will be conducted periodically as well as field trips to Chinese restaurants. CEDC has applied for funds from the State department of occupational education for this program.

Other Projects

The newcomers services program is planned to offer orientation services to the more than 500 annual immigrants to Boston as well as other recent immigrants. A staff of four is projected to be hired if funds are granted from CSA Title II.

The neighborhood security patrol will be on foot, 24 hours a day, 7 days a week, and be in constant communication through walkie-talkies with a trailer communication center. Funds have been requested from LEAA for this program, and when received, a staff of 13 will be hired. A more extensive description of this program may be found in the initial funding proposal, January 1978.

Statement on Employment Issues

by Armando M. Rodriguez*

I am especially pleased to have this opportunity to participate as a panel member of this consultation hearing sponsored by the U.S. Commission on Civil Rights regarding the myths and realities of Asian and Pacific Americans.

As a Hispanic, I am very much aware of the myths and stereotypes that we as minorities have encountered throughout our lives, no matter how we constantly attempt to dispel them. As a matter of fact, the stereotypes of Asian and Pacific Americans and Hispanics are almost parallel. How often have you heard someone say that we are a passive group of people, that we eat strange food, that we are physically short, or this classic one—that we all look alike. These stereotypes are negative. However, there are stereotypes that can be construed as positive—for example, that Asian/Pacific Americans are shrewd business people, academically successful; Hispanics have strong family ties. What binds the Asian/Pacific Americans and the Hispanic is our strong cultural background and our refusal to give it up.

What we hope to accomplish through these various panel discussions is to dispel these myths and stereotypes and deal with the realities. It will not be easy to erase what has been going on for centuries, but every time we have the opportunity to discuss this problem, we can be assured that we are sensitizing as well as educating someone who will begin to see us in a new and more positive perspective.

The key word is "sensitize." I consider myself somewhat of an optimist. And as an optimistic person, I do not believe that most people intentionally discriminate against us. It's just that they have not been "sensitized" to our unique cultural backgrounds, our language, or the problems which arise as a result of our cultural differences and, therefore, they are not always certain how to deal with us.

As a member of the Equal Employment Opportunity Commission, I have made it part of my everyday responsibility to sensitize my collegues and coworkers of the unique problems of the Hispanic as well as the Asian/Pacific American. Through this sensitization process, I believe that you will see some very positive action coming out of the Commission and will acknowledge the sincerity of their effort to ensure that everyone is given the opportunity of equal employment.

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* Armando M. Rodriguez is Commissioner, U.S. Equal Employment Opportunity Commission, Washington, D.C.

Let me digress for just a moment and give you some background on EEOC.

In January 29, 1979, EEOC's internal reorganization went into effect. A nationwide structure of 22 district and 37 area field offices using new procedures was set in place. This reorganization resulted from a careful Commission analysis of the needs of charging parties, respondents, and law enforcement officials for an efficient and effective field office structure to deal with the charges filed with EEOC. Each office now has a legal staff to work closely with the charge processing and investigative staff to assure that charges are processed on their legal strengths and weaknesses. The closer ties between our legal staff and our charge processing investigative staff will assure quicker resolution of many charges as well as better preparation of charges for litigation by charging parties and EEOC.

I mentioned a moment ago that new procedures for processing charges were being implemented in the field offices. One is the early litigation identification (ELI) program, which is designed to identify early in the agency's processing charges which would be good charges upon which to base a lawsuit. An effective litigation program will obviously provide substantial benefits to charging parties.

The Commission will be pursuing greater numbers of class action cases through the processing of systemic cases.

The Commission has approved six standards which have been designed to identify situations where the patterns of employment discrimination are the most serious, and where maintenance of a successful "systemic case" will have a significant positive impact on the employment opportunities available to minorities and women.

The Commission has created a systemic unit at headquarters as well as in each district office. This new legal unit is a unique approach to make more effective use of the legal resources of the Commission. As part of the reorganization, attorneys will now work as a team with the investigators at the district level in order to assure that the investigation of a charge provides the necessary evidence for filing a strong case.

In order for the Commission to institute a systemic proceeding, a respondent need only meet one of the following standards for selection:

Employers or other persons subject to Title VII:

1. Who continue to effect policies and practices which result in low utilization of available minorities and/or women despite the clear obligation in Title VII to fairly recruit, hire, and promote such persons.

2. Who employ a substantially smaller proportion of minorities and/or women than other employers in the same labor market who employ persons with the same general level of skills.

3. Who employ a substantially smaller proportion of minorities and/or women in their higher paid job categories than in their lower paid job categories.

4. Who maintain specific recruitment, hiring, job assignment, promotion, discharge, and other policies and practices relating to the terms and conditions of employment that have an adverse impact on minorities and/or women, and are not justified by business necessity. Such policies and practices may include but are not limited to those prohibited in Commission guidelines on sex discrimination, religious discrimination, and national origin discrimination, the guidelines on employee selection procedures, and other guidelines as they may be adopted and amended from time to time.

5. Whose employment practices have had the effect of restricting or excluding available minorities and/or women from significant employment opportunities, and who are likely to be used as models for other employers because of such factors as the number of their employees, their impact on the local economy, or their competitive position in the industry.

6. Employers (a) who because of expanding employment or significant turnover rates, even if the employer's work force is stable or in retrenchment, are likely to have substantial numbers of employment opportunities, and (b) whose practices may not provide available minorities and women with fair access to these opportunities.

I have described the standards used in instituting a systemic case. Now let me tell you about an important tool that can be used to bring about such an action. It is called a Commissioner charge. A Commissioner's charge may be issued at the initiative of a member of the public, a Commissioner himself, or by Commission staff, but must be approved by a signing Commissioner. Any individual or organization may request the issuance of a Commissioner charge when such a request relates to systemic discrimination. However, normally, a Commissioner charge in an individual matter should be requested only where an individual alleging discrimination fears retaliation or, for some reason, desires confidentiality, and in effect is asking that a charge be filed on his/her own behalf. During the precharge counseling, an attempt is made to persuade the individual to file the charge on his/her own behalf and the individual is informed that Title VII prohibits retaliation for filing a charge. I want to make it clear that ultimately the individual's identity must almost always be revealed to the respondent if relief is to be obtained.

What I have described is essentially the Commission's internal reorganization plan. However, there are major changes taking place in the Federal civil rights structure. Most of these changes are affecting EEOC in one way or another. Under President Carter's reorganization plan no. 1 and the Civil Service Reform Act, EEOC will become the principal enforcement agency of the Equal Pay Act, Age Discrimination Act, Rehabilitation Act, and the administration of EEO compliance programs for all Federal Government agencies. There is much planning and work taking place right now to prepare for the assumption of these new jurisdictions, and that's just great. But in order for people to utilize this new efficient and effective process, they must first be made aware of it.

I recently met with a group of Hispanic leaders who had concerns very similar to those expressed by the Asian/Pacific Americans. Those concerns included the need for more bilingual information and material on EEOC, hiring of bilingual staff according to the population being served, the need for a more concerted positive public relations effort within the minority community, the sensitization of the staff at all levels of the agency of the unique characteristics of the minority population being served, and the important need to initiate systemic charges for the underrepresented minority classes.

Although I had been aware of many of these concerns myself, now that they have been brought to my specific attention and discussed at length, it is now my responsibility to improve and change the system wherever and however I can.

I am sure that many issues of concern will be brought to light during these panel discussions, and I and my colleagues on the Commission stand ready to address and hopefully resolve them for the betterment of all people.

Thank you.

Discrimination Against Asian and Pacific Americans in Federal Civil Rights Enforcement

by Dale Minami*

Introduction

Over the past 8 years, I have been practicing law in the San Francisco Bay area, first with the Asian Law Caucus, a community-interest law firm, and currently with the private law firm of Minami, Tomine, and Lew in Oakland and San Francisco. Our offices have been involved in numerous civil rights cases on behalf of women and minorities, in individual and class discrimination suits, administrative complaints, and suits against educational institutions for failures to provide race-sensitive curricula and Asian American studies, counseling, and recruitment programs. We have also sued the San Francisco Police Department and the State attorney general for civil rights violations against Asian Americans.

Before you brand me as another troublemaking, sue-happy attorney, I hope you will consider some of my experiences and statistics I have discovered which point to the exclusion of Asian and Pacific Americans from policymaking positions in the Equal Employment Opportunity Commission and the Office for Civil Rights and which result in damaging collateral effects on Asian and Pacific American communities.

Equal Employment Opportunity Commission

In 1973 we brought a class action employment discrimination suit on behalf of Asian Americans against a major health insurance company in California. Statistics showed that Asian Americans constituted 23 percent of the total work force of the company but not 1 of the 19 top decisionmakers was an Asian American. Thirty-six percent of all Asian American employees at this company were in the technician or clerical category. One out of every 6 white persons was an officer or a manager while only 1 out of every 39 Asian Americans held such a position. White employees outnumbered Asian Americans by a two-to-one ratio but white officers and managers outnumbered Asian Americans 15 to 1.

As young, scared attorneys we went to the EEOC for help. Since we were also naive, we thought the dramatic statistics and other factual patterns of discrimination would encourage the EEOC to assist us in prosecuting the suit. Other significant factors were brought to their attention—this was the first class action brought on behalf of Asian Americans in employment; a suit and victory would give support to other, more reticent Asian Americans to fight discrimination; publicity would shake the stereotypes that Asian Americans face no discrimination and would deter other companies from engaging in similar practices, and, of course, the racist practices of the company were clearly wrong.

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The EEOC summarily rejected our request citing as reasons, "Not significant enough" and "Too political." Internally, our spies told us that the policymakers did not feel that Asian Americans were a priority and our problems were simply not serious enough to merit attention. Without the EEOC's assistance, we won several motions, threatened the Federal funding of the company, and eventually won a consent decree which provided back pay, training and language programs, goals and timetables for promotions, attorneys' fees and cost, and individual relief.

Office for Civil Rights

Five years later—different governmental agency. We filed an administrative complaint with the Office for Civil Rights under Title VI of the 1964 Civil Rights Act against Washington State University for discrimination against Asian Americans by failing to establish Asian American studies, counseling, and recruitment programs which other minorities enjoyed. We took the position that we would not accept a program at the expense of the other minority groups and that the university had to recognize that Asian American history and culture was as significant as other minorities' history and culture.

Documents obtained from the University revealed the following facts:

1. A black studies program was approved by the university in 1969, 6 months after a proposal was submitted; Chicano studies was approved 1 month after their proposal was offered, and Native American studies was accepted by the university several years before a formal proposal was made. Asian Americans requested a program and turned in a proposal in 1973. They still do not have a commitment for a permanent program.
2. The university approved a "Program in American Minority Studies" in 1969. Asian Americans were not included, consulted, nor, at that time, believed to be minorities. Nowhere in the university's minutes does "Asian" or "Asian American" appear during the consideration of the minority studies programs.

3. Over $1.4 million was allocated to black, Chicano, and Native American studies, counseling, and recruitment programs up to 1978; not one cent was provided for Asian Americans during this period.
4. Asian Americans have been the largest or second largest minority on campus in each year from 1973 to 1977.
5. Despite recommendations for the creation of Asian American studies by the university's own special consultant and by a blue-ribbon committee appointed by the president, the university has made no commitment, as of this date, for a permanent program.

The administrative complaint was filed with the Office for Civil Rights on December 7, 1977 (truly a coincidence). OCR promised to begin an investigation several times and even told me on two occasions that they had begun when, in fact, they had not. Eventually, we pressured them into initiating the investigation which culminated in a finding of no discrimination. They conducted virtually no investigation, did not interview complainants, other Asian and Pacific American students, or faculty. They accepted rationales and explanations from university officials without any critical analysis, and overlooked clear documentary evidence supporting our position. In short, they acted more like collaborators rather than factfinders.

These examples highlight the consistent shortcomings of governmental agencies designed to protect the civil rights of Asian and Pacific Americans. First, these institutions are, by nature, political institutions and thus respond more to political pressure than to objective appraisals of a particular case's merit. They will thus choose expedience above all and generally will not respond favorably unless political pressure is brought to bear against them. For Asian and Pacific Americans, a small minority in this country, we must organize locally and nationally to exert pressure on these institutions to do their jobs. It is ironic that we must fight not only institutions which discriminate but also the varied agencies whose duty is to stop discriminatory practices.

Secondly, their ignorance of Asian and Pacific American concerns and insensitivity to Asian and Pacific American problems is an enormous barrier to effective action on behalf of Asian and Pacific Americans by the agencies. The prevalent attitude, as reflected in the examples, is that Asian and Pacific Americans have it made and do not need assistance in obtaining their civil rights. The dearth of Asian or Pacific Americans at policymaking levels in the EEOC or the OCR forecloses sensitive considerations of Asian and Pacific American issues. I am not so naive to believe that Asian faces or names will automatically make agencies advocates for Asian and Pacific Americans but without Asian and Pacific Americans in leadership and policymaking positions, lack of responsiveness is ensured.

Statistics on OCR and EEOC

I made a freedom of information act (FOIA) request for the current EEO figures from OCR and EEOC. Since I have not yet received them, I obtained older figures which are still quite illuminating.

As of September 30, 1978, OCR employed 24 Asian and Pacific Americans out of 1,030 employees, a 2.3 percentage. Only 1 out of 141 Grade GS-13 was an Asian and Pacific American, a 0.7 percentage. Most significantly, at the highest policymaking levels, there are no Asian and Pacific Americans. There are 18 members of the senior staff, the highest ranking, most powerful body within OCR, and no Asian and Pacific American is a member. Of 48 members of the executive staff which includes senior staff (18), regional directors (10), division directors (14), and others (5), there are no Asian and Pacific Americans.

The EEOC is similarly "Asian-less" at top levels. Within the EEOC, using August 1977 figures, there are 36 Asian and Pacific Americans out of 2,274 employees, a 1.6 percentage. There are no listed Asian and Pacific Americans at grades GS-18, GS-17, GS-16, GS-15, GS-14, seven at GS-13 and six at the GS-12 level. In the Los Angeles office, the highest ranking Asian and Pacific American is a GS-9 investigator. Employees of the EEOC have told me that there is only one Asian and Pacific American in the country in a permanent supervisory position.

The direct effect of these employment patterns can be seen in the activity of the EEOC on behalf of Asian and Pacific Americans. Since the EEOC began operations, they have brought only three lawsuits which included Asian and Pacific Americans, and in one of those suits, Asian and Pacific Americans had to persuade the Government to include them in the allegations of discrimination. The Justice Department, which also has jurisdiction over certain areas of employment discrimination, has included Asian and Pacific Americans in only three lawsuits as well, one of which did not include Asian and Pacific Americans until they intervened independently in the action.

Recommendations

Before a strategy to combat institutional racism against Asian and Pacific Americans is formulated, further information is necessary. I would thus propose a study of the EEOC and the OCR as well as the Office for Federal Contract Compliance on their employment and complaints patterns with regard to Asian and Pacific Americans. I suggest that you obtain employment figures from the EEOC, OCR, and the OFCC, find out how many Asian and Pacific Americans are in what positions of authority, conduct a time-in-grade study, and compare these statistics to other racial groups. Further, you should talk with Asian and Pacific American workers, anonymously, of course, and perhaps with former Asian and Pacific American workers.

Secondly, I would suggest that you analyze the treatment of Asian and Pacific American complainants. Obtain statistics on the number of Asian and Pacific American complaints, the type of complaints, the number withdrawn, the number successfully resolved for and against the complainant, and compare these figures with other minority and majority groups. You might try to discover how many were adequately investigated, how long the process took, and what outreach efforts in Asian and Pacific American communities were made by the particular agency.

A study of this sort may lead you to an understanding of whether Asian and Pacific Americans file complaints at a rate equal to other groups, and if not, the reasons therefore. It may also reveal the treatment of Asian and Pacific Americans compared to other groups: Do their complaints get investigated, why or why not; is a disproportionate number withdrawn and is a disproportionate number of adverse findings made?

Based on both employment and complainant statistics and other information, I would suggest that you release such information to an independent attorney with experience in civil rights law. Allow him or her to analyze the information and if he or she decides that discrimination is systemic, present such evidence to the agencies with an offer to conciliate and resolve the problems. If the agencies refuse, this troublemaking, sue-happy attorney should be given the authority and funds to take the agencies to court.

Finally, I will recommend that this Commission hold a hearing at which representatives of the various agencies charged with civil rights responsibilities be called in to explain the employment statistics on Asian and Pacific Americans as well as policies relating to the processing of complaints by Asian and Pacific Americans. After such hearing, I would request that this Commission make recommendations to the President and Congress so that some action could be taken on what I believe to be a shameful and hypocritical record of these agencies on behalf of Asian and Pacific Americans.

Employment Issues—Federal and State Policy

by Betty Lim Guimares*

Public policy at all levels of government is aimed at the use of public resources to obtain full employment for those who are willing and able to work. However, the trend of attempting to diminish the commitment of public resources will have a tremendous impact on programs that offer assistance to the unemployed population. The passage of Proposition 13 in California, reducing substantially property taxes and severely limiting the State's ability to increase offsetting taxes, set the mood for many other States, and the Federal Government is heeding this mood.

The one employment and training program most familiar to those of us whose work is involved with assistance to the unemployed and the underemployed is the CETA (Comprehensive Employment and Training Act) program. CETA was conceived as a special revenue sharing project which would give all program responsibility to local jurisdictions, although the funds are disbursed by the U.S. Department of Labor. This law was signed in 1973 and implemented in 1974; however, in anticipation of this new concept, some local jurisdictions were awarded planning grants a couple of years before the passage of CETA.

I remember during this planning period, the Chinatown community in San Francisco was already eagerly anticipating its increased input in an important federally funded program. It was true then, as it is now, that Asians are often forgotten as a minority on the national scene. In 1972 I was the executive director of a successful employment and training program for limited-English speakers in Chinatown. Thus, I became the prime candidate for a planning position with the mayor's office, and I was hired as a manpower planner for the city of San Francisco. And I have worked in the mayor's office in different positions, but always with an involvement in CETA, until the present.

The Chinatown community, with its own farsighted planning, began working with our office as early as 1972 in order to ensure a fair and equitable process for formulating a manpower planning council, which would eventually be mandated for CETA grants. It is through this council, now the Employment and Training Council, that citizens are able to recommend the mix of program activities that most fit the needs of the unemployed in San Francisco.

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While on the national level CETA does not impact greatly on the Asian Americans, I would like to describe what happens on a local level where there is sufficient community resources to advocate for the needs of Chinatown and its residents. Although Asians, which comprise 20 percent of the San Francisco population, have been a vital part of San Francisco for over 150 years, it is only within the last 3 years that Asian Americans have been successful in running for and winning citywide offices. Thanks largely to the negotiating skills of various Asian groups and not in small part to the policies of our late Mayor, George Moscone, Asian Americans began to occupy important appointed positions on commissions and the Employment and Training Council. All this, the evidence that Asians are finally emerging as a political force, made the city aware that the Chinese Americans, Japanese Americans, Korean Americans, Filipino Americans, and new immigrants from Southeast Asia do indeed share the same problems as all the other ethnic racial communities in San Francisco.

It follows that the CETA program now serves all the significant segments of the unemployed and disadvantaged population and that 20 percent of the CETA participants in San Francisco are Asians. This is especially significant in view of the fact that CETA aims its program preference to veterans and welfare recipients. Since more than 70 percent of the CETA participants who are Asians are immigrants, these two preferential categories tend to exclude these newcomers (although the department of social services confirmed that Asians on public assistances are on the rise).

In San Francisco, CETA provides funding for a variety of employment programs to assist Asians in obtaining jobs or in training to become employable in the kinds of jobs that are available in the local market. The Chinese for Affirmative Action negotiates with employers to hire Asians, and it concentrates on those jobs not traditionally filled by Asian applicants. The American Cooks Program, which operates in Chinatown, trains limited-English-speaking individuals in American and European cooking, often transferring Chinese cooking skills to those that offer the highest chance of working in higher paid union jobs in major hotels and restaurants. A combination of these programs, including the Chinatown Resources Development Center's English/vocational training, Asian Neighborhood Design's trade training for youths, Community Educational Center's English training for youths, West Bay Multi-Service Corporation's employment projects for youths, Vietnamese Youth Development Center/Glide Foundation's youth program, the Self-Help for the Elderly's bookkeeping and home health aide training for seniors, the Multi-Service Center for Koreans, and the Filipino-American Council's

English/vocational training programs, offers the most comprehensive employment and training support effort in the United States.

Yet there are still gaps; none of these programs, successful as they are in serving their targeted population, can serve those who come to this country with no English skills. Owing to the fact that CETA programs are measured for success by the placement rate and the cost per placement and are compared regionally, there is pressure not to fund programs that would require long periods of training and low likelihood of job placement. San Francisco has taken on this risk on a minimal scale, not enough to push the placement rate too low or to push the placement cost too high. Yet those who do not have even the knowledge of the most basic English phrases are many, and they are the ones who are really stuck with the substandard wages and the long work hours that preclude their ability to learn enough English to get out of their traps. What is needed is simply longer training programs that are measured only to those realistic standards that can be set up for these special groups. While the benefits may not be realized as quickly, they will surely materialize.

The employment needs for many in the Asian American communities, and, indeed, all the communities with employment problems, are growing. This need is recognized by the Federal Government, which recognizes this to the extent that the Humphrey-Hawkins Full Employment bill was passed and signed by President Carter. It is ironic that right after the passage of the Humphrey-Hawkins bill, there was a move to dismantle an important job program like CETA, on the premise that there was widespread fraud and abuse in the program. The Department of Labor recently issued findings, after extensive investigation, that the rate of program fraud and abuse was 1 percent. The success stories seldom make the press.

While the CETA program was reenacted for another 4 years, there is still a move in Congress to cut funds. Both the House and Senate Budget Committees have voted for reductions in the CETA program, and while the House Committee voted to maintain the current level of summer youth jobs, the Senate Committee voted to cut these jobs by 25 percent. Additionally, cuts for the countercyclical public service employment program (a job creation project) would result in a reduction of more than 500,000 jobs by the end of fiscal year 1980. It does not take an expert economist to project that, with the diminishing availability of fuel and other related factors, the unemployment rate will not decrease. Thus, it becomes more mindboggling that the Government is not only looking for reduced commitment in future years, but has also written in the new CETA legislation a provision that would force hundreds of thousands of CETA workers to be laid off on September 30, 1979. It is as if we were trying to achieve a double-digit unemployment rate to go with our double-digit inflation rate. It is not hard to figure out which groups will suffer the hardest when unemployment goes up.

Which leads to the subject of employment discrimination. When I graduated from the University of California in 1956, I had also had a couple of years' experience as a clerk-typist, but I would not be given an application form for the few clerical jobs I had sought, and the newspaper ads for those jobs would continue to run in the papers, although I was told the positions were filled. Now I am a Commissioner on the Fair Employment Practices Commission of California, and although I can say that discriminatory employment practices are not blatantly used, they certainly have not been eliminated. Take, for example, the CETA workers who perform their jobs well and cannot pass the civil service tests for those jobs. Invalidated tests, whether administered by public or private employers, are the continuous concern of agencies monitoring antidiscrimination efforts. Many discriminatory practices affect the ability of Asian Americans to obtain jobs and promotions. It has become a cliche to say that Asians by tradition do not like to complain and are docile enough to accept unfair treatment and discrimination. Unfortunately, there is enough truth in this stereotype to have gotten me into numerous arguments with friends and relatives who did not want to approach their supervisors, teachers, or neighbors to express a dissatisfaction. Fortunately, increased awareness in affirmative action programs and antidiscrimination legislation has led to an increase in a willingness to face a problem, rather than to swallow it, toxin and all.

California's history regarding its Asian citizens has some shameful chapters, of which I am sure you are aware: cruel exclusionary policies, exploitation on the labor market, and such legally-sanctioned practices as the internment of Japanese Americans during the Second World War. While the latter came from an Executive order from the President, California was not known for any outburst of outrages as they might have done if Americans of Italian or German descent were suddenly removed from their homes and incarcerated.

We no longer see many examples of flagrant civil rights abuses, but subtle abuse continues to exist—in employment, in housing, in obtaining services and public accomodations. There are many ways in which Asian Americans still cannot claim full equality. For example, a little over a year ago Asians were denied entrance into a supper club because, according to the manager, the Asians looked too young and it was difficult the ascertain the validity of the identification documents produced. I find it difficult to believe that anyone could believe that dozens of Asians would obtain and carry fake identification documents just to get into supper clubs and bars.

I would like to offer a brief description of the experience the California Fair Employment Practices Commission has had in dealing with discrimination against Asians. I should point out that for the purpose of this statement Asians include Chinese, Japanese, Koreans, Southeast Asians, and Filipinos. To obtain the most relevant body of information, the data compiled cover the period of July 1, 1977, to March 31, 1979, 3 months short of a 2-year period but providing the most up-to-date statistics our computer could furnish.

For this 21-month period, we received from Asians a total of 398 complaints, all but 20 of them in employment, the others being in housing and public accomodations. This was out of a total of 5,326 complaints docketed for that period. For purposes of comparisons, 4,500 complaints were filed by black clients and 1,200 by Hispanic origin individuals. While total numbers of Asian complaints continue too rise, the percentage of such complaints of all those we receive remains fairly constant over years—approximately 7 to 8 percent.

The bulk of the complaints was received from Asians who were denied upgrading or promotions. American-born Chinese or Japanese, for example, may find it relatively easy to get into entry levels jobs, but later are blocked off from promotional opportunity. Our investigators find that the kinds of reasons employers give for not promoting—and in some cases not hiring for entry level jobs—fall into certain patterns. One employer, for example, claimed that his failure to promote an Asian worker was based on the preconceived notion that although the employee was a good researcher, like most Asians he was not "action-minded" and probably could not make the decisions required of a manager. This ties in with the stereotype that Asians are too studious, quiet, or clannish to fit in with the social structure of a company and therefore are shut off from the mainstream. Often we hear that Asians have not been promoted or hired because they are not aggressive enough. Sometimes employers do not recognize that aggressiveness, in the most positive sense, can be manifested in the form of persistence in getting a job done rather than the ability to manipulate others into doing the work.

Another major problem, frequently seen with recently arrived Filipinos and others from Asia, relates to educational accreditation. Although the individual might have been highly-qualified educationally in his or her native land, those credentials often are not accepted unless they come from an approved list of universities. This has led to frequent complaints of employment discrimination.

Even when Asians speak English fluently, an often-heard excuse for not hiring is an employer's claim that the applicant lacks communications skills or is unable to communicate easily in English. It is not a rarity to see an employer's willingness to accept a European accent but is convinced that an equivalent degree of an Asian accent is incomprehensible. The fair employment practices commission recently heard a case of an Asian who worked 6 years for one of the counties in California. After a distinguished career which included two promotions and yearly positive evaluations, a newly hired supervisor decided that this individual had communications problems and recommended in his written evaluation report that the employee should stop speaking his native language at home. This highly questionable evaluation report was followed with a termination notice, and the employee filed a complaint with the commission, which eventually found that the employer engaged in unlawful employment.

In the past, and to some extent still today, arbitrary height and weight requirements for some jobs, particularly such positions as police officers or fireman, virtually shut out a huge majority of Asians and women. This seems to be a hurdle we are slowly getting over in California, thanks in good part to a suit filed against the city of San Francisco a few years ago, which threw out such pointless standards in the police and fire department hiring procedures.

We know, of course, that the major blight of discrimination will not be eradicated or indeed significantly ameliorated by correction of individual complaints alone. However, we do need to provide better outreach and other measures to assist Asians in filing complaints. As with most enforcement agencies, discrimination complaints require investigation and efforts at conciliation. The number of complaints keep increasing, and probably could be increasing at a higher rate, but the number of staff required to keep up with the cases is not sufficient. And there you have the conflict of objectives—increasing the opportunity for protected classes to file complaints and decreasing the length of time it takes to resolve a case. Again, with the apparent trend to reduce governmental commitment of funds, there does not seem to be a resolution in this conflict in the near future.

With the kinds of problems Asians in California face, the number of complaints of discrimination appears relatively small. I can speculate somewhat on why this is the case. There is a general unawareness of fair employment services—and many other services—on the part of those recently arrived in this country. Many are certainly unaware that the law protects complainants from employer retaliation for filing complaints. Additionally, there can sometimes be a real language problem especially outside of the urban areas, and the lack of adequate bilingual staff to resolve this problem is a serious factor. There is also a reluctance to rely on a governmental agency to find solutions because of a lack of confidence in governmental agencies, often well-founded, to respond to concerns of Asian Americans.

Aside from individual complaints, broader measures are needed such as investigative public hearings. Last December the commission held one such hearing in San Francisco to determine the problems of Asians obtaining jobs in the Bay area's baking industry. In meeting with community groups, it was determined that all Asian employment assistance agencies were not receiving satisfactory responses to requests for information regarding job openings. Throughout the planning process, representatives of the bakeries were reluctant to have a hearing, but after several meetings, an agreement was reached whereby there would be a forum during which time the community agencies would outline the problems and the bakeries would respond by announcing a plan to work out the problems. At the end of this forum, a representative of community agencies to implement a recruiting and information exchange program to be followed by an evaluation in 6 months time. It is this kind of action, bringing about cooperation between employers and advocates of employee groups, that is the most productive. An important point to make here is that this agreement would not have come about if dedicated community agencies, such as the Chinese for Affirmative Action, did not bring the problem to the commission.

The passage of Proposition 13 in California gives us a look into the future of the services mentioned in this chapter. Although a surplus in the State treasury will carry us through for another year, there will be an initiative going to the voters to limit government spending. This initiative, which has a very good chance of passing, will cause further reductions in the kinds of government-supported services that the minorities and the poor need. Needless to say, those who have advocated for more and better services, such as bilingual assistance for those who would otherwise not be able to use these services, will have an almost impossible task.

There is much to be done by those of us in government to gain the trust of the Asian American communities. We must start by listening to their concerns and recommendations and provide a way to ensure continuous pursuit of policies and programs that are suitable to their needs. In these times of tight budgets and inflationary costs, it is a challenge we all must face so that government-supported programs can be perceived as necessary and beneficial to all citizens.

Housing Issues

VICE CHAIRMAN HORN. The next discussion will concern the housing issues as they affect Asian/Pacific Americans, and the first panel will deal with the impact of housing issues on Asian/Pacific Americans, and our first panelist is Kerry Doi, who is the executive director of the Pacific Asian Consortium in Employment, otherwise known as PACE, and located in Los Angeles, California.

Mr. Doi?

Presentation of Kerry Doi, Executive Director, Pacific Asian Consortium in Employment, Los Angeles, California

MR. DOI. Good morning.

I would like to preface my statement by saying that a number of these hearings have happened in different areas of the United States regarding communities of the Asian and Pacific Islanders, and these hearings have been particularly frustrating for those of us that have participated and haven't seen any kind of results at all.

I'd like to emphasize Mr. Minami's statements in making sure that something happens out of this. The petition that has been circulated has been signed by most of us, and we intend to get a lot more signatures to make sure and this probably will be sent to all of our respective elected officials.

In my statement, I'd like to talk about the status of housing for Pacific/Asian communities in the Los Angeles area.

The central city of Los Angeles is very similar to the downtowns of most large metropolitan communities. Negative urban dynamics have been slowly eroding the social, physical, and economic [infrastructure], becoming most evident through the late 1940s through the 1960s; the exodus of the middle class to suburban communities created a vacuum that minority and low-income residents have filled.

The older, deteriorating environmental conditions slowly led to urban decay which resulted in dilapidated, unsafe, and unsanitary living conditions.

Squalid conditions faced by a central city community were not overlooked. The prime lucrative commercial and business areas provided the economic incentives for public and private entities to prime the pumps for inner city community development activities.

From the early renewal activities to current strategy programs, billions of dollars have been pumped into deteriorating communities which have resulted in slow reattraction of the more affluent middle class.

Such purposeful community development programs have resulted in problems. This is especially true for minority and poor residents who are frequently forced to relocate as rents and taxes in revived areas rise concurrently with property values.

Unable to cope with the higher property values and accompanying higher taxes and rents, the low-moderate income and fixed-income peoples are displaced to suburban communities.

The central city portion of Los Angeles provides 40 percent of the employment opportunity for the city of Los Angeles. The bulk of this employment is in two industries, service and manufacturing. Between the years 1970 to 1977, central city community populations have grown substantially and clearly reflect the high increase found in the labor force participation rate.

Sixty percent of the labor force is service or manufacturing related in which the city has concluded that there remains and will remain a high demand for low-moderate income housing.

A recent L.A. study stated that a huge housing deficiency in the central city has resulted in substantial commuting to the central area for employment. Much, if not most, of this travel is, of course, done by choice because of the desire to reside outside of the central city area. However, some of these travel patterns are created simply because of the availability of housing for low- to moderate-income populations and which is still restricted within the central city. Any additional low value family housing created within the area would easily be absorbed by locally employed people.

Further, it was recommended and stated that housing programs in these areas should be directed towards subsidizing construction of low-cost, multiple-unit buildings to provide housing for those low- to moderate-income households who work in the area. In this manner commuting patterns could be reduced by supplying housing to those families employed in the local area at lower paying occupations.

The study also stated that the service and manufacturing-related industries yield lower average employee incomes. This is reflected by the area's lower median income statistics.

The strong demand for low-moderate income family housing remains a void that must be filled to accommodate the lower income service and manufacturing-related employment market.

Between the years 1970 and 1977, the city of Los Angeles experienced a large immigration of Asian and Pacific Islanders. Because of the turmoil in Southeast Asia and the general instability of the political climate, the Asian/Pacific Islander community grew at rates far beyond those estimated by the city.

In many instances the newly arrived refugees were relocated in U.S. cities but later migrated into Los Angeles because of the weather, family, and communities.

Most of the immigration as well as migration targeted into the central city communities of Los Angeles. Chinese and Japanese populations have been located in many of these communities for generations. These older, traditional Asian communities became the anchor for the new Asian and Pacific Islander populations; the declining central city communities provided ample space for these new people but the inadequate infrastructure of the physical and the economical became a hindering problem for a truly viable community.

In many statistical areas, the Asian and Pacific Islander community doubled. The city's population, education, employment, and housing study in 1977 indicated much faster population increases in the Asian population than projected by previous trends. It was also determined by the city that since 1960, housing overcrowding for Asians has increased drastically. They have experienced a greater increase, 16.5 percent, of overcrowding than any other racial group—black, Chicano, or Anglo.

The substantial overcrowding has been attributed to the inability of large families to find large, affordable housing in the area. The new relocation of large families has been somewhat substantiated by recent analysis and analogies of elementary school data. In many Asian and Pacific Islander communities elementary school population has more than doubled, an indication that new families are locating in central city areas.

The Asian and Pacific Islander immigrants that locate in the area generally do not have the necessary job skills to obtain higher income salaries as well as entry level positions.

Inadequate employment skills become an additional damper to community viability. Job assimilation more than likely occurs within the manufacturing and service industries which are reflective of central city communities. Housing and employment problems are closely integrated with the transportation problems faced by the new immigrants. These people are less able to commute as freely as the mobile middle class. It becomes essential that these individuals find affordable housing near their place of employment.

Thus, the dilemma remains, finding low-skilled employment, found mostly in the central city, for individuals and locating affordable, adequate housing, found mostly out of the city, to provide a necessary environment for a decent livelihood.

The problems of employment and housing must be met to provide overall community and city viability in terms of physical, social, and economic infrastructure.

In embarking on our mission to alleviate the housing situation through the building of low-cost housing, we've encountered many problems. They range from the handicaps of nonprofit organizations for—excuse me, they range from the handicaps of nonprofits, negotiations for predevelopment services, to identifying proper financial resources, to tedious government regulations inhibiting nonprofit organizations.

The PACE housing community development corporation as well as many community organizations face the above-mentioned problems in their attempts to provide needed family housing.

PACE has three major recommendations that would help stimulate low-moderate housing in low-moderate income situations as needed. They are, number one, providing technical assistance. Funding is needed for organizations to hire an experienced, competent housing specialist. Such a specialist would have worked for a private developer and have the know-how to package housing projects.

This person would be knowledgeable of housing programs and policies; the specialist would be familar with all aspects of housing production and would train others in the organization.

Number two, capital. Dollars are needed to negotiate for land and help underwrite project costs. This would be necessary for only the first project because it is hoped the organization could generate its own capital and equity. Predevelopment fees are necessary to cover architectural and engineering fees.

Number three, special incentives for nonprofit organizations. Government programs should have more incentives to attract nonprofit, community-based organizations. As it now stands, there are more negative reasons for agencies to develop with low-moderate income family housing, especially in inner-city communities; community organizations better reflect the wants and needs of the people and would better target activities to such needs without having profits as an overlying goal.

Thank you.

Vice Chairman Horn. Thank you very much.

The next panelist is Harold Lui, the management director of the Chinatown Planning Council in New York City.

Mr. Lui?

Presentation Harold Lui, Chinatown Planning Council, New York

Mr. Lui. Members of the Commission, members of the audience. Before I make my presentation, I'd like to make two remarks. I've noticed that members of the audience and some of us in the back have not been able to really get involved other than our own presentations. And it's been suggested to me that we ask the Commission to accept written remarks to the Commission, based on what their opinions might be, so they may be fully involved in this consultation.

Vice Chairman Horn. We'd be glad to receive written remarks from not only any member of the audience, but also any member nationally that's interested in this particular issue, and we'd be glad to consider them in compiling our final findings and recommendations and trying to determine, as the Chairman noted yesterday, what our course of action will be once we have reviewed the record of this consultation.

Mr. Lui. Second of all, I think yesterday Canta Pian from the Division of Asian American Affairs was on the panel, and was asked about the work of her office, and how much was needed by other government offices.

We, throughout the country, have had occasion to rely on her office to help us through some of the bureaucratic maze. She did not indicate, I think it should be noted, that her–the budget for her office has been cut by 50 percent, and I think it's necessary, if we're to do our jobs, to have that office expanded.

Vice Chairman Horn. I hope you're letting the appropriate Federal officials know your view.

Mr. Lui. We have done that. The issues confronting the Asian communities throughout the United States are many and varied. Like any other minority living primarily in the inner city, especially in the older cities of this country, we suffer from the usual problems of unemployment, underemployment, health problems, youth problems, poor and inadequate education, and in the area I would like to talk about today, inadequate and insufficient housing.

In a recent publication in New York City, community leaders in the Chinatown community identified the lack of adequate housing as one of its major problems. Chinatown, once a small, compact, and self-contained community of approximately 5 to 15 blocks, has now grown to encompass a 3-square mile area on the lower east side of Manhattan.

The most accurate estimate of the Chinese population in this area ranges from 100,000 to 150,000, more than one-third of the total population of this same area. While the numbers are staggering, they will blow your mind when you realize that, according to the New York City Planning Commission estimates, the number of Asian Americans in New York City has doubled since 1970, while the Chinese population has increased by 25 percent.

Furthermore, only the other day, we were informed that the expected immigration flow from Vietnam and the mainland of China to New York City could exceed 10,000 a year.

One has to wonder: Where are they going to live? Where does Washington expect to place them? Decent low-income housing is difficult to find anywhere in the world—in this country. In New York

City, every neighborhood is suffering from a shortage of low income housing.

Chinatown, one of the oldest areas in the country, is an area where the early Americans settled in the middle 1600s; today its housing consists mainly of old tenements built before the 1900s, walkups, six or seven stories high, many of which still have no central heating and have deficient electrical units. According to an HEW study, one-fifth of the Chinese families have inadequate plumbing and one-third live in overcrowded apartments.

The 1970 census tallied or mistallied close to 3,000 dwelling units in the core of Chinatown, virtually all renter occupied, overcrowded, and frequently deteriorating.

The five blocks of center Chinatown have a density exceeding the maximum dwelling units permitted by law. Almost every new Chinese immigrant settles originally in the Chinatown area, squeezing in with relatives.

There is no such thing as a vacant apartment in Chinatown. Almost every apartment where Chinese are living is spoken for before the family moves out. Without a doubt, New York Chinatown has the highest population density in the country. The problems of our youth, the high rate of tuberculosis cases can be attributed to the problems of overcrowding.

Indeed, when students must eat, sleep, and do their homework in the same room, their school work must suffer.

A recent report on reading scores in the New York City public schools revealed that in the Chinatown area, where there are a majority of Chinese students, less than 45 percent of the students were reading at the national median level. That means over 50 percent were reading below it. These are schools where there are no truancy problems, no disruptive students, and few broken families.

In the same lower east side area, there are approximately 9,500 units of public housing for low-income families of which less than 1,500 are Chinese. While the Chinese population consists close to 35 percent of the total population, less than 15 percent occupy apartments in public housing.

While applications from Chinese families increased markedly over the last few years, turnover in the New York City Housing Authority is very low, and a long waiting list exists at the applications office. Families have had to wait as long as 2 or 3 years to be called for available apartments. To make things worse, the prospects for low-income housing appears dim for the coming year. Ever since the moratorium on housing imposed by Richard Nixon, the country has not really recovered and has been unable to address itself to these needs.

The administration is proposing funding for fewer units while the Congress is looking to cut even more. From a goal of 600,000 new units a year, it is estimated that the likely level will be closer to 223,000. For whatever units can come to New York City, the commitment has been made to areas such as the south Bronx and Brooklyn. Section 8 monies and CETA monies are committed this year to the rehabilitation of existing dwelling units.

While New York City is wrestling with the problems of property abandonment in sections of Brooklyn and the south Bronx, there are no abandoned apartments in Chinatown. The housing problem in Chinatown is a massive one.

In addition to section 8 programs and CETA funds, a new commitment must be made to build low-income housing in Chinatown. It's not enough to say that millions of dollars will be coming to New York City; the voice of the Asian community in New York City is only a whisper, and although city hall is only a few blocks from us, we may just as well be on the other side of the world.

The community must be given assurance of having equal access to whatever available funds there are. The time for planning is now. The last urban renewal plan for the lower east side took place 20 years ago. And is now finally being completed. If we begin now we may see some results within the next 10 years.

Finally, let me suggest that we build housing where seniors and families can live together. Why not develop incentives to keep our families together? Where does it say that seniors must live away from their children and their families? Why not build apartments so they can live next to each other, not everyone can afford to send their parents to live in retirement villages, nor do we want to.

Instead, most of us are forced to squeeze in with parents or leave them alone in isolated areas of the cities. There is nothing more depressing or lonely than seeing senior citizens living in cold water flats or in shared and broken down tenements.

What we need is a commitment to improve the living conditions of our people in our communities and to provide money with the commitment, clearly, if we can spend billions to assist corporations on the verge of bankruptcy, we can spend billions to prevent wars in the Middle East, we can spend billions to keep cities at peace.

If we can invest in other countries, we can invest in our own communities. If we can rebuild countries with whom we have been at war, we can rebuild our cities.

Finally, if our government can play a major role in assisting the citizens of other countries, it surely must play a major role in helping the citizens and taxpayers of our country.

Thank you very much.

VICE CHAIRMAN HORN. Well, thank you. That's a very eloquent statement, if I might editorialize, with which I agree.

David Ilumin is director of the West Bay Multi-Service Corporation in San Francisco. He is our last panelist to discuss the impact of housing issues on the Asian/Pacific American community.

Presentation of David Ilumin, Director, West Bay Multi-Service Corporation, San Francisco, California

MR. ILUMIN. Good morning, Commissioners.

Before I get into my statement I'd like to share with you on this occasion, being Asian American Heritage Week, a bit of information that I recently came across.

As early as 1765, 10 years before the American Revolution, a group of Filipinos established an isolated village called St. Malo on the bayou near Lake Borgen in St. Bernard Parish, Louisiana. Having escaped the ship and colonial rule of the Spaniards whose galleon fled from Manila to Acapulco, brought to Spain wealth and riches, the Filipinos were to later on become very involved in establishing the now famous shrimp and seafood industry in Louisiana.

This very early contribution is just one of the many made by an Asian American group.

Recognition of such accomplishment strengthens our pride, our dignity, and our commitment to continue our struggle not only for equal rights, but for equal recognition from all Americans.

The agency I work for provides services to low-income families and elders. We recognize the vital role poor housing and poor neighborhood conditions play in magnifying and intensifying other social problems and issues such as health, employment, education, crime, and many others. There is no other residential area in San Francisco quite like south of Market. Housing can be found on the same block as parking lots, manufacturers, retail-wholesale outlets, warehouses, and offices. But many of the side streets contain two- or three-story frame apartment houses mixed with other nonresidential buildings.

On a typical block, commercial and industrial buildings and some residential hotels dominate the main streets. In San Francisco's overall economic structure, south of Market is a major land resource for incubator industries, downtown support industries, and low-rent housing.

Although it has only 0.3 percent of the city's overall land, south of Market possesses 31.5 percent of the city's total commercial and industrial areas and, although it only contains 0.3 percent of 1 percent of the city's residential land, virtually all of the residents, residences are for low-income people.

Housing for the elderly consists mainly of residential hotels, while at the same time most recently arrived immigrant families can be found residing in the two- or three-story apartment houses. Most of the common deficiencies found in south of Market housing units are electrical, plumbing, maintenance, health, sanitation, and fire safety. More than half of these units have at least one of the mentioned deficiencies. It can be generally stated that half of the residential housing units that are found—are found to be in substandard condition, but overcrowding is probably the most critical housing problem for families in south of Market.

Overcrowding has countless negative impacts, is generally not healthy, either physically or mentally for the occupants, and it's not uncommon to find an average recently arrived Filipino family of six to have relatives and friends staying with them in a two-bedroom apartment.

Overcrowding has adverse effects on the housing units, since overcrowding leads to rapid deterioration of existing housing stock and can lead directly to substandard housing itself.

Despite the small amount of improvement and the large number of absentee landlords, however, many Filipino tenants take pride in their homes. It is common, for example, for Filipinos to maintain the inside of their apartments very well, even when they're overcrowded. Many also have a positive feeling about wanting to improve the area and to stay as a permanent resident, but cannot afford the cost of a home in south of Market.

The 1970 census states that many south of Market residents are paying more than 25 percent of their incomes for rent. Of the total Filipino families residing in San Francisco, one-fourth of these families are earning incomes below the poverty levels. Seventy-five percent of low-income families reside south of Market and, considering that at least 25 percent of all San Francisco Filipino families reside in the area, and with the rapid increase of immigrants establishing residence, and while at the same time the Filipnio population having a birth rate twice that of San Francisco's city average, south of Market's housing problems have a potential to continue to worsen.

The elderly in the area have been tremendously affected by the housing situation, for example, redevelopment of an area for a convention center within south of Market led to demolition of several residential hotels. These elderly, mostly single men with annual incomes of less than $2,000, were displaced from this redevelopment area and moved to other hotels either in the Tenderloin or to other parts of south of Market.

The physical and mental impact on the senior citizen when having to move has so many ill effects. Although life in a residential hotel may be a marginal one for the senior citizen, it provides the senior citizen independence and a sense of community.

A mutually supportive system has developed where friends help each other during bad times, and keep an eye out for each other. There are really few other places in the city for these people to go. While the number of residential hotels is dwindling due to redevelopment, the few new elderly housing complexes cannot replace what has already been demolished.

The International Hotel is a graphic example of the need for low-income housing, especially for the elderly.

Manilatown, adjacent to Chinatown, has experienced many great losses in terms of community services and small businesses which were essential to help support the needs of low-income Asian elderly. Barber shops, cafes, and other small businesses which served as social gathering places for seniors have given way to the expansion of the financial district.

And a similar situation exists in the south of Market today, with the development of a convention center. But with Filipino seniors residing in Manilatown, the residential hotel situation is very questionable at this point. Even though there are some social service agencies and programs such as Manilatown Senior Center, the problems caused by lack of low-income housing, low-cost housing are overwhelming and even the services seem scarce.

The need for low-cost housing exists in most, if not all, urban American cities where large concentrations of Asian Americans can be found.

Senior citizens, low-income families also need community services to help deal with the social problems caused by poor housing conditions. Neighborhoods with mixed uses like south of Market cannot afford to lose any more housing units to commercialization.

A healthy neighborhood environment will allow immigrant families and immigrant children and their families to at least experience living in a safe community atmosphere.

The civil rights of the young, the old, the long time residents, the immigrant are rapidly being overlooked in the context of housing. Being deprived of decent, low-income, and affordable housing and a safe and healthy neighborhood can only produce negative attitudes among its residents.

But because of the overwhelming power of corporate industries over elderly and recent immigrants, the political nature of the housing situation becomes very complex to the poor and powerless.

To address some of the problems that I have mentioned, we suggest the following, that all levels of government support and provide technical assistance to community-based nonprofit housing development corporations. Such support and recognition will generate input from community residents, tenants and owners, thus allowing more positive interaction between the community and its policymakers.

We'd also like to see that local governments be encouraged to adopt the existing Federal policies to be flexible enough to help increase ownership of housing by local residents and thereby increase community control over its housing stock.

Improve the quality of existing housing, the rehabilitation without placing unwanted financial burdens on occupants. Although we recognize that rehabilitation is not a cure-all, it must be accompanied by other improvement including new housing, to have any type of lasting effects on improving the life in the community. In urban areas with huge concentrations of unemployed, low-income people, priority should be given to hire local residents with construction skills to develop new housing or to rehabilitate existing housing. Job training, apprenticeship programs should also be established in the community to help train residents. We'd also like to encourage the expansion of section 8 programs and other Federal and State and local programs which seem feasible for such areas like south of Market.

In areas which consist mainly of low-income families, developing housing units with adequate numbers of bedrooms per unit, overcrowdedness will be reduced as well as health and safety problems.

Community facilities, the services program should expand and develop simultaneously with the rehabilitation of such existing housing and with development of new housing.

Such services are essential in the improvement of neighborhoods and are very supportive in dealing with the socioeconomic problems experienced in low-income urban areas.

We'd also like to see an increase in funding and expansion of programs to improve the total quality of inner-city areas and neighborhoods which contain a substantial amount of residential housing, even though such areas are not zoned for residential use.

And last, we'd like to support the establishment of new programs for residential housing rehabilitation, because of the large number of elderly and immigrant families residing in hotels in San Francisco, Chinatown, south of Market, the Tenderloin, etc. This alternative can help alleviate substandard housing conditions found in residential hotel units.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Commissioner Freeman?

COMMISSIONER FREEMAN. I have no questions.

Discussion

VICE CHAIRMAN HORN. Chairman Flemming?

CHAIRMAN FLEMMING. I think I'd like to address this question to any member of the panel. Have you been involved in any actions growing out of allegations to the effect that the Asian/Pacific Americans are the victims of a failure to implement title VIII of the housing act, namely the fair housing title?

MR. LUI. No, we haven't been involved. In New York City we have a particular problem with the south Bronx. We are, as Dr. Nishi pointed out earlier, victims of competing against other minorities; who is more victimized, it's hard to say.

We don't want to be put into a position of fighting among ourselves for, and accusing the government of favoring another minority over this minority. I think that's a very divisive approach. It seems to me that what we're looking for is an equal access in terms of hearing our voices, certainly with a politician such as Herman Badillo who come down here and spoke for the south Bronx or Charlie Ringo who come down and speak for Harlem; they're not going to listen to too many of us coming from Chinatown.

Politically, we're almost like eunuchs. We have no power, and I think the name of the game, whether we like it or not in this country, is who has the political clout, and I think unless some creative and innovative and I think some courageous thinking comes from this particular panel and from our government officials, the squeaking wheel will always squeak.

CHAIRMAN FLEMMING. Any other member of the panel care to comment on that?

The Congress is right now considering amendments to title VIII designed to put some teeth into that particular title, to provide for more effective enforcement and I'm just trying to see whether or not a failure to enforce it has had an adverse impact on the members of your community and whether enforcement or effective enforcement could have a positive effect on the members of your community.

MR. ILUMIN. Just to add to what Harold mentioned. The political nature of the housing condition makes it very, very competitive when you're talking about not only Asian Americans having housing problems, but generally in the city of San Francisco where you have at least about 60 percent of the total population being minority; it tends to get quite competitive for the little amount of funds that there are. And just to support his statement, I think just to have that kind of equal access—

CHAIRMAN FLEMMING. Essentially your problem is a problem of inadequate housing facilities—

MR. LUI. More money.

Chairman Flemming. —and inadequate housing program—

Mr. Lui. I think basically what we're saying is that the government is not committed to low-income housing, I think that's really what it is, I think, since the moratorium.

Chairman Flemming. Well, your reference to the 600,000 goal and the fact that we're a long ways away from that points up what you have in mind.

Mr. Lui. Yes, I think the problem is that we keep deluding ourselves, and we talk about housing plan. We have a department of housing, urban development; we're really not talking about providing new units where it's really needed and, at the same time, on one hand, we're bringing in more immigrants and we make a big public furor over the fact that we open our shores, and where are you going to put them?

And then nobody cares about the inner cities until you have another riot and then you have another poverty program. I think what we're saying now is if we're really committed to it, I mean we're no different than the bombed out section of Berlin if you look at the south Bronx and Brooklyn. One of the visitors from San Francisco came to the lower east side on Monday and he was shocked at the conditions he saw on the lower east side.

Now, maybe Patricia Harris and the President have to visit the Chinatowns and the other Asian communities.

[Applause.]

Vice Chairman Horn. Let me pursue that, if I might, Mr. Lui. You mentioned that there's a problem of competing with the south Bronx, and you didn't want to fight among minorities. I'm not quite clear, I guess, at this point, what the competition is. Is it competition to build particular projects in a given land area or is it competition for members of the Asian/Pacific community to get into housing projects, low-income projects that are already built in a given land area?

Mr. Lui. You have two problems, first in the building, the commitment of monies goes to the politician's area, favorite area, and I think when the President goes to the south Bronx and makes a commitment before he's elected, the least he can do is at least voice his concern for it and work with his staff to appease the mayor, the governor, and the politicians that got him elected. So that's where the commitment of whatever monies come out of HUD would go.

In public housing, New York City has 600,000 units. The lower east side has, as I say, 9,000 units where most of the Chinese live and most of the Chinese in New York are eligible for public housing.

Now, unfortunately, New York City, unlike other cities, does not have a vacancy problem in housing projects. So, therefore, if we're public housing, houses 600,000 New Yorkers, where I think it's amazing the 600,000 is larger—larger population and more than many big cities in the country—we are saying then that the public housing program that's present there now and working well, is not going to help the Asians or the Chinese since there is no vacancy rate. And it's not a matter of discrimination, it's a matter of there being no vacancies.

I think there are some situations where many Chinese who apply are not properly processed, but even if they were properly processed, there still is the waiting list of other eligible applicants.

VICE CHAIRMAN HORN. Okay, so you're saying what is clear from all your testimony and what we all know anyhow, that there's a completely inadequate level of public housing units, period. That's one point.

Then what I was getting at is, given, though, the existing public housing, is there discrimination in the administration of that housing between minority groups?

MR. DOI. In California—if I could comment on that—

VICE CHAIRMAN HORN. Yes, please.

MR. DOI. The discrimination isn't among minority groups but it's in the administration of the housing production, period. The California Housing Finance Agency, which receives a tremendous amount of section 8 subsidy from HUD, has—my estimates would be less than 5 percent of all of its housing production is in low-cost, multiple-unit housing production projects.

VICE CHAIRMAN HORN. Well, okay, you're saying the discrimination is made by those charged with the administration of housing programs between low-income housing, moderate-income housing, and middle-income housing. Is that what I heard in that last answer?

MR. DOI. Right. Most of California, the CHFA projects are in the white, middle-class suburban areas. Asian Americans/effect on job opportunities

VICE CHAIRMAN HORN. All right, to what extent is that California Housing Agency the recipient of any Federal funds, to your knowledge?

MR. DOI. Well, again to a tremendous extent, they are a direct recipient of section 8 subsidy from HUD.

VICE CHAIRMAN HORN. So they're the administration agency within California. Have you ever looked to see what kind of a plan they submit to HUD claiming what they will do with the funds HUD is providing to the State of California?

MR. DOI. Involved in their plans are statements saying that they will provide low-income, multiple-unit housing dwellings in the inner cities.

VICE CHAIRMAN HORN. Do they say how much?

Mr. Doi. Off the top of my head I really can't tell you how much—

Vice Chairman Horn. I think this is rather interesting. It seems to me that in an attempt to try to get at some of these problems and how they're administered, we ought to have the Staff Director communicate with HUD and the California Housing Finance Agency and secure the current plan of the State of California. In this exhibit, we should particularly note what has been said by the State in relation to HUD in terms of low-income housing that will be provided in inner city areas of the State, the degree to which that has been funded by the Federal Government, and then the degree to which that has been actually carried out under the auspices of the State.

Let me move, Mr. Doi, to another question. You mentioned that there's a need for incentives to encourage nonprofit organizations. I wonder if you could specify some of those incentives? I heard the technical assistance argument that applies across the board, but is there something peculiar to the needs of nonprofit organizations which you think would be necessary to encourage that type of activity?

Mr. Doi. Private-for-profit developers get incentives through tax breaks such as deterioration—well, the only way that nonprofits can involve private profit developers in providing these kinds of housing projects within the areas that we're trying to concentrate on is by giving them the tax benefits, we would have to enter into partnerships. Say for—in the developer providing 20 percent of it in kind contribution towards the developing of the project, they would—we would have to give them 100 percent of the tax breaks, that we might, say, be able to syndicate out to other kinds of investors. If we could perhaps receive a stronger incentive being allowed to—say syndicate 200 percent of the project rather than 100 percent, then that would really help out.

Vice Chairman Horn. Very good.

Mr. Lu, one of the interests of this Commission, and we held a hearing on it a few months ago, has been in the problems faced by undocumented workers. I think, as is clear to many of us, that this is not simply a Southwestern United States problem or a problem between Mexican undocumented workers and their entry into the Southwestern United States. It's a national problem which occurs in the East, the Detroit area, the Northwest, as much as anywhere.

In terms of your work within the Chinese community of the Asian/Pacific American community in New York City, do you have an estimate as to the number of undocumented Chinese that might be in the area? Does this group pose any additional needs and demands for services that are not being met through meeting the needs of regular immigrant groups that come in?

Could you give us a little feel for the situation in New York?

MR. LUI. I'm not clear as to what you mean.

VICE CHAIRMAN HORN. I'm talking about the undocumented worker, the illegal alien that comes into the United States—I'm curious if you have a feeling for how many exist in the New York Chinese community and do they require certain social services in addition to what legal immigrants might require, because there's the problem of identification, proof, ineligibility, so forth.

I just wondered what your experience is.

MR. LUI. Well, I have an official experience and I have an unofficial experience. Officially, I don't know any illegal aliens.

[Applause.]

Regardless of their background, their ethnic race, and their height, their weight, anything, I think we just deal with them and we provide the service.

We have had some problems where people who have applied for certain programs, where they have to produce certain documents, and they have been unable to produce them. And I think as an organization I received a large number of government funds; we have to comply with regulations. Whether in fact they're illegal, I don't know. I would say that, unofficially, there are close to 6, 7, 8,000 living in the Chinatown area who are illegal aliens. Since my mother is an illegal alien, I would figure that there are so many—I thought I was an American—I think the services, though, I think that are provided, I think are distributed fairly within the Chinese community. I think within the government, there are a lot of problems because many government agencies sort of find a way not to serve you. They'll find reasons.

The government itself has a very, I think, inconsistent pattern. Many years ago, as you know, aliens could not have jobs in government and yet they were taxed and yet they were drafted to get killed overseas. We in the community are fighting to say that anybody who lives, who lives, who breathes, is entitled to services.

I think you might, you can put them in any category you want in terms of statistics, but the fact that someone's walking the streets and gets hit by a car doesn't mean that he can't go to this hospital because he's an illegal alien, you can't pull out a social security number, but I think that the organization, Chinatown, and most of the nonprofit organizations since they're not making any money out of it, they serve whoever comes—

VICE CHAIRMAN HORN. Just so I get this matter in perspective, remind me how many live in Chinatown of Chinese descent?

MR. LUI. Between 100,000 and 150,000.

Vice Chairman Horn. Okay. One last question on the New York situation. It seems to me as communities undergo this problem of deterioration, blight, redevelopment, etc.—one of the better Federal programs that has tried to get at the economics of the inner city has been the work of the Economic Development Administration in the Department of Commerce. Now, while that doesn't pertain to housing, particularly, it does pertain to better planning, it does pertain to leverage to encourage private incentives to get an economic infrastructure there that will provide opportunities in many of these areas.

Is there any experience you have in the Chinatown area of New York City in relation to EDA and various projects there that are EDA funded?

Mr. Lui. We have none. I think there is an emergence of organizations that are getting into the economic development area. Some of us will be meeting with the Small Business Administration and we'll let you know what the outcome is in terms of real assistance to our communities.

Vice Chairman Horn. Very good.

Commissioner Saltzman?

Mr. Nunez?

Mr. Nunez. Yes, I have one question. You focused your interests on public housing and the plight of people in the inner city. I was wondering whether you have given any thought to the possible discrimination that Asians might encounter as they move outside of the inner city into the suburbs. Have you done any work in that area, or do you think that the problem is primarily one of people living in the crowded ghettos, the Chinatowns, the Japantowns, the Manilatowns of America? Are there problems as the communities begin to spread out of their inner cities?

Perhaps all of you could respond to this.

Mr. Ilumin. If I hear you right, you're saying if there is any discrimination as far as the transition from a low-income neighborhood to, into a middle—

Mr. Nunez. Yes, as they move out from the inner city areas where traditionally Asians have lived.

Mr. Ilumin. Due to the location of my agency, my area of work, I don't come in contact with too many middle-income families. Due to the fact that we're situated in the downtown area, and it's pretty common that in most downtown areas there is a small residential neighborhood that has poor housing, we haven't really encountered any substantial amount of discrimination problems existing in the outer areas of the particular district.

Mr. Doi. In Los Angeles, the problems of housing are more concentrated in the inner city area, that's not to say that there are no problems in the suburban areas, but because of the various governmental regulations in HUD or in EDA or in CSA or whatever, you're forced to deal with small geographic areas. So as a nonprofit organization trying to work and deal with those problems and utilize government resources to deal with those problems, you have to—you have to prioritize, and the problems are more concentrated in the inner city; we're forced by the government regs to prioritize, that's why we focus in on inner cities.

VICE CHAIRMAN HORN. Any other questions, Mr. Nunez?

MR. NUNEZ. No.

VICE CHAIRMAN HORN. Thank you very much. We appreciate your testimony. It's been very helpful.

The next panel will concern the strategies and remedies in the housing area. And we will have with us three panelists, the first of whom is Mr. Gordon Chin, of the Chinatown Neighborhood Center in San Francisco.

Mr. Chin is the executive director of the Chinatown Neighborhood Improvement Resource Center. Mr. Chin?

Presentation of Gordon Chin, Executive Director, Chinatown Neighborhood Improvement Resource Center, San Francisco, California

MR. CHIN. Thank you, Commissioner.

The Chinatown Neighborhood Improvement Resource Center is a community planning organization seeking to improve the entire physical environment of San Francisco Chinatown. The HUD-funded 701 study in 1972 concluded that San Francisco's Chinatown has the worst housing conditions in the western United States. Almost all of our housing stock was built right after the earthquake. In fact, it was rebuilt by the Chinese. Most of the residential units are hotel rooms, and as David mentioned earlier, many of our elderly and families have to share bathrooms and kitchens.

Our percentage of renter occupancy is 84 percent, one of the highest in San Francisco. Chinatown has 132 residential hotels comprising over 5,000 housing units, and this gives Chinatown the highest population density outside of Manhattan.

Our community is also situated between some of San Francisco's most wealthy areas, Nob Hill, financial district, and this makes new housing acquisition very difficult. Land costs in Chinatown today approach $200 per square foot and realtors will tell me that there's no such thing as fair market value.

Combined with the expansion of the financial district, we are losing many housing units. And the substantial demand for commercial development is making it very difficult to maintain a mixed use, residential-commercial community.

Many of the long time small businesses are getting displaced by banks, jewelry stores, what have you. It's really no accident that Chinatowns and other Asian communities face similar types of problems of displacement and commercial pressures, high land costs, and congestion.

Like other immigrant communities that have developed near ports or other transportation points of entry, Chinatown is often located near downtowns or financial districts; we have lost many thousands of housing units in the last two decades to this expansion.

What many people sometimes forget is that Chinatown existed before there ever was a financial district in San Francisco. I think the Federal Government must correct past insensitivity to Asian community housing needs with a commitment to our fair share of community development and subsidy monies, but equally important is the Federal Government's commitment that programs be adapted or created to meet our unique needs.

I would like to suggest the following measures: *capacity building.* Traditional housing programs have not met our needs in Chinatown. Government at all levels should recognize the essential role of community-based, nonprofit entities in housing development.

We have experienced urban renewal and it doesn't work in Chinatown. Massive type of urban renewal projects with high population densities would lead to a substantial amount of displacement. Likewise, public housing authorities have not been able to develop housing, at least not in San Francisco Chinatown, because of the high land costs. Thus, we need our own development entities, our own housing development corporations, housing sponsors, and technical assistance agencies. We think HUD should make every effort to foster this capacity, the building effort.

Community-based sponsors for subsidized housing are paramount to this effort. We think HUD guidelines for sponsor selection should recognize an organization's reputation within its community and not just look at the size of their bank account or the real estate holdings.

We think legislation and programs such as community development should mandate that nonprofit, community-based developers have a recognized role and share of funding in the annual community development and housing assistance plans.

Significantly, the 1977 regulations on the community development program now make it allowable for nonprofit organizations to implement the entire range of eligible activities under the block grant.

The need for capacity building in Asian communities is painfully evidenced by San Francisco Chinatown's experience with the community development program. Chinatown received less than 3 percent of San Francisco's allocation. And when it comes down to the big money we're penalized because the larger programs, redevelopment, code enforcement, are not feasible in Chinatown.

The block grant program is allocated to cities according to formulas taking into account population, the percentage of low-income residents, and the condition of the housing stock. However, the distribution of block grant funds within cities does not utilize these same criteria when it comes down to dividing the pie.

Therefore, every year our communities' population, income, and housing statistics contribute to the amount of money San Francisco receives, yet when it comes down to San Francisco to distribute the money, they are not mandated to use those same criteria between neighborhoods.

The section 8 program must be expanded. During the last round of proposals in San Francisco for section 8 new construction, we were instrumental in HUD approval of a new 240-unit section 8 project in the waterfront area of the city, and we're very pleased to have that. However, we had to compete with 18 other neighborhoods in San Francisco and they had very well-deserved projects. Without an expansion of section 8 new construction, it's going to lead to a competitiveness between neighborhoods and minority groups in San Francisco.

HUD standards: HUD currently uses minimum property standards which require separate bathrooms and kitchens in any building that utilizes section 8 subsidies. I think HUD must be cognizant that these standards may need to be waived in certain cases involving residential hotels.

Right now there is no program on any government level that can feasibly address the rehab in our residential hotels. To do so under current section 8 standards would lead to a reduction in our housing stock by 50 percent.

In many cases housing with communal kitchens can be developed if HUD standards are waived. In fact, we think HUD should establish model programs for residential hotel rehabilitation utilizing flexible standards. The hotel makeup of our housing stock is by no means an accident or a cultural preference. It is a direct historical result of discriminatory immigration legislation which divided families and necessitated a housing stock serving single individuals. What the log cabin was to the European pioneer, the residential hotel is to Chinatown and other Asian communities.

The section 202 program: section 202 is a major new construction program for elderly housing. Chinatown currently has two projects which have received a commitment of funds from section 202. One of these is sponsored by the On Lok Development Corporation, and I'd like to share with you two concerns they have experienced with 202.

The program has been inadequately financed for the program to have maximum feasibility for Chinatown.

Mortgages for 202 should be increased to meet ever rising construction and land costs and, in addition, should provide a 50-year mortgage term rather than the current 40-year term. This will make it a lot easier for nonprofit community sponsors to develop housing.

Impaction: HUD is very concerned that the new subsidized housing projects should be decentralized out of the core minority communities and into non-low-income areas. They call this impaction. However, the Federal Government must realize that future development of housing outside of Chinatown must be coordinated with needed social and health services as well as commercial and transportation support systems.

Moving outside of familiar Chinatown often has a very tremendous cultural and social impact, particularly for our elderly, and it is crucial that the full range of government resources be coordinated with housing.

Equally important is the need for HUD to cover within housing projects mortgages—with housing projects that are designated for community services and centers. And I think only in this way can the isolation of our elderly be minimized.

In summary, what San Francisco Chinatown and other Asian communities need is a full range of solutions to our housing problems, funding commitments, flexible standards, new programs, coordination with supportive services, and capacity building.

No longer can we be satisfied with the opportunity to apply for infeasible programs. There are not just technical problems that we have in adapting to government programs. They are basic civil rights issues of the government not adapting to us.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Our next panelist is Mr. Robert Santos, who is executive director of the International District Improvement Association located in Seattle, Washington.

Mr. Santos?

Presentation of Robert Santos, Executive Director, International District Improvement Association, Seattle, Washington

MR. SANTOS. Thank you.

My presentation will take 9 minutes and I'd like to take 1 minute in asking the Commission a question, and this will be after our panel presentation. Is that all right?

Vice Chairman Horn. As long as you use your 10 minutes.

Mr. Santos. All right. Now, some of my remarks may seem a little contradictory to presentations from San Francisco and New York, but the Seattle International District area is not as populated as theirs, so we have different problems. And the remarks that I make are geared mostly to elderly and elderly housing.

HUD policy, the HUD policy of deconcentrating low-income housing has had an adverse effect on our housing efforts in the International District. It manifests in two areas, desegregation and in current housing, Federal housing projects, and in financing.

The first problem arose in 1977 when HUD, through a compliance agreement, forced the Seattle Housing Authority to restrict minority occupancy to 35 percent in the International areas, an elderly housing project built in 1974.

This meant that any new vacancies would be filled by Caucasians only until the current level of 70 percent minority was reduced to 35 percent. This process would have taken years to accomplish, meanwhile no minority residents on a waiting list would be accepted into the housing project.

INTER*IM met with HUD regional officials who would not budge from their position. Subsequently, INTER*IM traveled here to Washington, D.C., to discuss the matter with Chester McGuire, the then-HUD Assistant Secretary. INTER*IM explained the ethnic composition of the district and of the attempts by local, State, and Federal Government to preserve the neighborhood as an Asian cultural center of the Northwest. INTER*IM also reminded HUD of their own investment in housing and community development block grants to the International District. This compliance agreement flies in the face of these goals.

We further explained that it was insensitive to apply a law regardless of its practical implications. The district's residents are non-English speaking who need a cultural environment they are accustomed to as well as social services which they receive in the district. To disburse this ethnic community to all parts of the city would be disastrous and no less impossible. This Federal court order to desegregate has a reverse affect in the area of housing; people have a right to live in their own neighborhoods when decent, affordable housing becomes available to them.

The Secretary of HUD agreed to waive the compliance agreement for the International District and, he said, when working to protect and preserve the ethnic neighborhoods like the International District, the government must be more flexible.

In addition, INTER*IM has run up against HUD's deconcentration policy when attempting to obtain more section 8 housing for the district. For years HUD brownlisted the district and only as recently as a month ago, through community pressure, has HUD agreed to allow additional section 8 housing units in our neighborhood.

The other problem area related to the housing is financing. The key to developing low-income housing is financing programs which, in one way or one form or another, subsidize low-income persons' rent. HUD, FHA [Federal Housing Administration], and Farmers Home Administration have numerous programs to achieve such a subsidy. INTER*IM is concerned about the Federal regulations and policies that restrict the flow of dollars to low-income communities and create additional costs which reduce the quantity of housing units per Federal dollar invested.

Our specific concerns are: one, the section 202 elderly program has built-in cost requirements that make it difficult for nonprofit community groups and low-income areas to meet.

Secondly, these funds haven't been prioritized for low-income minority communities. The district has never gotten any section 202 funds.

Number two, HUD regulations currently prohibit the use of section 312, low-interest loans with a section 8 program. In many minority urban areas, low-cost financing is necessary to stay within the fair market rent set by the section 8 program.

Low-interest loans become crucial to any housing rehabilitation—to keep the project feasible.

Number three, the section 312, low-interest program allocated more money to single-family, moderate-income housing rather than multifamily housing in low-income areas where people want to stay.

In Seattle, for example, the city acknowledges that 90 percent of the low-income families live in rental units and can't afford the mortgage payments of subsidized single-family homes. It makes no sense to have 60 percent of the 312 program allocations which help only 10 percent of the low-income persons.

Number four, the Federal program should focus on multifamily housing since unit costs and operating costs are significantly less. We could get more housing in our communities.

Number five, Federal housing design and construction requirements should be relaxed in neighborhoods with a number of rehabilitable multiunit buildings. Most rehabs can provide more units per dollar and house more persons per investment; in many cases buildings can be brought up to city codes and be quite comfortable and safe without adding additional requirements which HUD now does.

Number six, alternative housing types should also be encouraged by HUD. Single-room occupancy buildings with shared facilities offer a unique opportunity to provide many of our elderly members with modest, liveable living quarters.

We can't afford nor do we all desire suburban standard housing.

Seven, the Federal Government should investigate means of developing low-income housing with the least amount of red tape and delays which costs—which create cost overruns. This also discourages property owners from taking advantage of Federal programs.

Future directions could focus around efforts such as the Jubilee Housing Corporation here in Washington, D.C., which is using equity syndication as a means of paying for low-interest mortgages. This creates rental units at 40 to 50 percent below market rate without excessive delays and interventions by government.

An example of how HUD requirements affect us in the International District—the example I'd like to use is the Milwaukee Hotel. It is presently operated and managed by INTER*IM and the International District Housing Alliance. Plans are presently being formulated to rehabilitate this hotel while still trying to achieve ownership. Projected costs of a minor rehabilitation for 106 single-room occupancy units accomodating a maximum of 100 to 180 persons is $1.8 million. If, however, we were to do a HUD section 8-sponsored rehabilitation on the same building to conform with HUD housing regulations and standards, we would only have 60 units accomodating a maximum of 120 persons at a total project cost of $2.8 million.

Our modest rehabilitation proposal will house more persons at half the cost per person as the HUD section 8 project.

In sum, HUD should relax the Federal regulations as well as free up more funds to flow into low-income communities in order that more low-income housing could be built per Federal dollar.

Thank you.

VICE CHAIRMAN HORN. Thank you very much.

Our last panelist this morning is Mr. Jay Kim, a leader in the Chicago Korean American community. Mr. Kim serves on the State Advisory Committee for Illinois for the United States Commission on Civil Rights and is an attorney in Chicago.

Mr. Kim.

Presentation of Jay Kim, Attorney, Lawrence Avenue Development Corporation, Chicago, Illinois

MR. KIM. Thank you, Commissioner.

Before presenting my viewpoints on the strategies and remedies of housing problems, I feel it is imperative to briefly define the issues and the problems first. Furthermore, I would like to focus my discussion on the experiences of new immigrant groups of the Asian Americans, more particularly Korean Americans in the Chicago area rather than those of the American-born counterparts.

With respect to housing, Koreans, as new immigrants, face serious problems pertaining to a shortage of housing, landlord-tenant disputes, mortgage loans for home buying, and housing for senior citizens. This is, of course, true of other new Asian immigrant groups such as Indochinese and Filipinos and others. Later in my presentation I will elaborate; I'll describe these problems more explicity and discuss the possible remedies and strategies.

However, it must be pointed out that there is a paucity of studies on these topics and consequently no current data available for Koreans in the Chicago area. Therefore, my presentation here today is based entirely upon my personal observations and experiences in working for the community.

A 1975 study of the Asian American communities in the Chicago area was conducted by B.L. Kim of the University of Illinois, despite the fact that the study—pressure of the housing problems—data obtained is undoubtedly outdated due to the drastic increase of the numbers of Korean immigrants coming into metropolitan Chicago area in recent years.

Moreover, since the survey was conducted the neighborhoods of areas of concentration in population have changed among the new Korean immigrants, indicating some interesting resettlement problems generally encountered in minority communities.

The influence and concentration of new Korean immigrants have occurred in the area called Albany Park in the north side of Chicago, bounded approximately by Foster Avenue to the north, Montrose Avenue to the south, Pulaski to the west, and California to the west.

High Korean population and business activities within such area give a strong indication of an emerging Koreantown formation and development. Unfortunately, the development has not been organized yet because of the rapid growth of the community and the short history of the Korean immigrants in the city.

In the Albany Park area alone there are believed to be approximately 15 percent to 20 percent of the entire population consisting of Koreans. Along Lawrence Avenue, which is an artery shopping street in Albany Park, there presently are over 60 Korean businesses.

Neighborhood characteristics vary considerable in the density of population, average family income, average years of education, age of the building, proportion of housing units occupied by owners, and degree of housing deterioration.

There are sections which because of the—a concentration of older, large multiunit buildings with absentee landlords, face—present a threat of deterioration.

There are also sections where the concentrations of social problems relate to low income, high density of population, and high proportion of senior citizens. The old multiple-unit buildings owned by an absentee landlord and managed by an outside firm creates bad living conditions for the tenants and discourages maintenance in the building, especially when they cluster together.

The area, however, with its many obsolete structures, has not rewitnessed the redevelopment activities initiated yet except for the business district revitalization project which is in progress with some degree of success.

Since the atmosphere is not so desirable, Koreans in a better financial condition tend to move or attempt, at least attempt to move out of the—this area into the suburbs. The remaining Koreans in the area are considered either as new immigrants, low-income families, or senior citizens.

Overcrowding is one of the most significant issues of the area today. This is intensified by the fact that the area is already viewed as one of the most populated areas in Chicago. According to B.L. Kim's study, 1975 study, 53 percent of Koreans had 3 to 4 persons and 24 percent had 5 to 6 persons in the household. About 70 percent of the respondents of the survey showed having children below the age 9 living with their parents. These figures imply that most of the Korean households consist of younger parents.

Strikingly, 80 percent of the respondents lived in rented apartments. Although the sum does not particularly represent the Albany Park area alone, it could well be presumed that the majority of Koreans in the so-called Albany Park Koreantown area are residing in rented apartments.

The composition of Korean residents in this area is somewhat homogenous. In other words, the majority of the Korean residents in the area are newly arrived immigrants or 3- to 6-year residents.

Inevitably, their English speaking ability is quite limited; most of them come to reside in this area because of the convenient Korean stores along the shopping street of Lawrence Avenue and its vicinity so that they could avoid the language barrier.

In most cases both husband and wives are working and both those with younger children require babysitters in the neighborhood where they can easily find older Korean women to take care of their children while they are at work.

The Albany Park Community Center houses a day care center, and even though 40 percent of the children at the center are Korean, the facilities are far from adequate to accomodate the increasing number of applications from the working Korean parents.

Whatever socioeconomic factors may induce such large numbers of the new Korean immigrant families into an already congested area of the city, there certainly arise severe problems of inadequate housing both in numbers and in quality.

Faced with such housing shortages, very few Koreans in this area are successful in obtaining decent housing accomodations, particularly families with younger children and elderly parents, and are often shunned by the landlords as undesirable tenants.

Outpriced of the decent apartment, they finally end up in deteriorated, long neglected, poor apartment buildings often owned by absentee landlords. The problem with dealing with unscrupulous landlords is worsened by the lack of English proficiency. In many instances the tenants are victimized without proper remedy or legal aid. There are very little known evidence or reported cases of housing discrimination against the Korean Americans in the Chicago area, however, this is not necessarily indicative of no discriminatory practices in housing. The Koreans, like other Asian and Pacific Islanders, tend not to be—complain a lot about any discrimination whatever form it takes. They are more likely to go to other places when faced with any discrimination from landlords or property owners.

Such traits might be attributed to cultural reasons, lack of language proficiency, and unfamiliarity with the American way of life.

Some distressed Koreans in Albany Park area find themselves forced to seek housing in the suburbs. Some hasten prematurely to purchase homes after saving just enough money for the downpayment.

Even if most of the prospective home buyers can afford to pay the downpayment and mortgage installments, it is not uncommon that their mortgage loans are often denied by the various lending institutions because of the lack of credit owing to their short stay in the United States. Whether discriminatory or not, the fact is that home buying is denied simply because they are immigrants.

When the younger members of the family move toward the outskirts of the city or to the suburbs for better housing, the older parents are hesitant to live with their children in suburban areas for various reasons.

First, their geographic mobility will be greatly restricted as they have to rely on their children for transportation. They find it more difficult to assimilate into surburban life due to old age and the language barrier.

The older Korean parents prefer to be left behind in the community area for companionship, congeniality among the same age group, and better public transportation.

They, of course, cannot afford to purchase their own houses due to the lack of income and power. With loss of children to take care of them they would seek a place in the community. So far there is only one urban public housing facility available for the senior citizens in the Korean community area. The Kenmore Senior Citizens Center located at 5040 North Kenmore, Chicago, now houses approximately 50 Korean elderly persons, which is equivalent to 20 percent of the total tenants in the center.

They seem to find more freedom and sense of independence from their offspring and even a sense of dignity. At the same time, they suffer from lack of communication ability, for there is no bilingual person working for them, no ethnic foods, and no entertainment facilities, which are causes of complaints.

Now, about remedies. The following remedies are recommended. The lack of basic data regarding the housing patterns of the Korean Americans has caused a significant problem in understanding, formulating any policies to improve the housing conditions.

It is recommended that the community development committee composed of local citizens plus civic and business leaders be formulated and organized to conduct a study on housing within the boundaries of so-called Koreantown area.

The committee also shall conduct a study for the revitalization of the area, where interest, support, and working input as well as community expertise through the study process are required.

After researching the housing needs and problems of the community, the committee shall conduct a series of studies to investigate the physical conditions of the individual housing to come up with a more accurate picture of the housing supplies and needs.

Number two, once deteriorating areas are defined, redevelopment should be emphasized. Some older apartments could be remodeled to provide temporary housing service for new immigrants.

The acquisition of certain property and demolition and clearance of deteriorated structures are necessary.

As a solution of the problem of lack of experience in dealing with landlord-tenant disputes, an extended and extensive community orientation and other community services equipped with bilingual persons are much needed, and in order to solve the problem of lacking credit for home buyers, government-guaranteed loans with low interest, something equivalent to FHA and the VA loans, must be initiated for new immigrants.

Bank loan requirements must be made less rigid and there should be other factors considered in deciding the eligibility of loan applicants.

VICE CHAIRMAN HORN. Thank you very much, Mr. Kim.

Commissioner Saltzman?

COMMISSIONER SALTZMAN. No questions.

VICE CHAIRMAN HORN. Commissioner Freeman?

COMMISSIONER FREEMAN. No.

VICE CHAIRMAN HORN. Chairman Flemming?

CHAIRMAN FLEMMING. No. I'd just like to express appreciation for the contributions that each member of the panel has made that's providing us with some very valuable information.

VICE CHAIRMAN HORN. Mr. Nunez?

MR. NUNEZ. Mr. Santos has a question, inquiry at this point.

Discussion

VICE CHAIRMAN HORN. I have a number of questions I want to ask; perhaps Mr. Santos can wait on that. I know my colleagues have also to be back here by 1:30. I'd like to first ask Mr. Chin, you made a very interesting statement there which I suspect happens more than once in Federal grant applications, that essentially the Chinatown statistics are used in order for the city of San Francisco to get funding, but that's no guarantee that the funding, once received, will really go to Chinatown. This, of course, gets down to a problem of where should decisions be made on matters like this, at the local level or at the national level? One could argue, I suspect, either way, depending on circumstances as to where political clout might exist at either the local level or in Washington, through coalitions and congressional representation, so forth.

But I wonder, would you prefer that decisions be made in Washington by a Federal agency on a project-by-project basis or do you think the present system of using total community statistics to gain access and to trigger certain funding sources is appropriate? In brief, would you just as soon have the process remain as it is despite the hurdles you've cited?

MR. CHIN. Well, first of all, Commissioner, let me say that I have always been in agreement with the concept of local control, and the philosophy behind the community development block grant of putting the decisionmaking back into the localities.

Philosophically, I may agree. However, I don't think the Federal Government would be usurping local decisionmaking by mandating certain principles and guidelines that the cities would have to follow, such as designating minority areas and low-income areas that should receive a percentage of the allocation based on their needs.

The argument against Federal control into the housing program is often bureaucracy, but the type of "targeting" guidelines that we want, wouldn't require a lot of Federal time to implement.

In San Francisco, the situation is that the city only has to prove that "X" percentage of the block grant is going into low-income areas, but not necessarily which low-income areas.

VICE CHAIRMAN HORN. Very good.

Mr. Santos, you also made an interesting observation which frankly poses some major philosophical dilemmas for any Federal administrator carrying out a housing policy or Congress trying to enact criteria by which a policy could be carried out. In Seattle, you objected to the Federal Government, HUD in this instance, breaking up ethnic concentrations. You argued that there were unique circumstances there. Apparently you argued successfully since the Secretary of HUD, as I recall your testimony, granted a waiver.

But this does get down to the situation? Suppose it wasn't Chinatown, suppose black residents in the community or Mexican American residents in a community said, "We want to live in the same building, we want to maintain community identity, etc.?" My query is very simple: What criteria should a government use to decide a situation in either case?

MR. SANTOS. As I said before, the government must be more flexible. In Seattle's International District, for example, we are trying to accommodate our elderly Asian population who were segregated into the International District at the turn of the century. Now with the development of the domed stadium and other construction, they want to displace our people to accommodate the tourist industry.

Our district is different from New York and San Francisco as we don't have too many young families living in the I.D. [international district] which tends to create an atmosphere for overcrowding, which brings with it many different types of problems.

VICE CHAIRMAN HORN. You're saying, in essence, "Look at it on a case-by-case basis realizing that there will be inconsistencies in how different minority groups are going to be treated, depending on whatever circumstances you think exist in an area"?

MR. SANTOS. The example is when the stadium was built we wanted—when the stadium was built and all around that district there's progress happening or progress developing at the expense of residents.

And right off we decided that that would never happen in the International District; we would take care of our residents, our elderly residents first. We would take care of their housing needs and we—and we imposed a 1,000 limit or 1,000 units of decent affordable housing for those people, and we visited HUD with 300, 400 people at a time, and they were called demonstrations at those times, and we got HUD to agree to build new low-income housing for the people who lived in the district.

Now, they come back 4 years later and say, "Hey, listen, we have to disperse those people." Well, it doesn't make any sense.

VICE CHAIRMAN HORN. Mr. Santos, we've now got 30 seconds before 12:35 when we're scheduled to adjourn, what is it you wish to do?

MR. SANTOS. The last 4 years our district has worked pretty closely, and I imagine there are some other people here who have worked very closely with a staff member from the Commission, and in a 4-year or 3-year period there was a report that was put together called the CCR National Project on Asian and Pacific Island Americans. And this report was put together by Tino Calabia and I'm just wondering where that report is, and would we be able to get the results of that report which we feel we should get as taxpayers.

VICE CHAIRMAN HORN. Mr. Nunez?

MR. SANTOS. Tino Calabia is also a brother of mine; he's a fellow Filipino boy.

VICE CHAIRMAN HORN. Mr. Nunez, do you wish to respond to that?

MR. NUNEZ. Well, we had a draft of a report which we determined was not publishable. The data were just not adequate, and as an agency that stands behind its research and also stands behind every finding and recommendation in our reports, we, at times, are not able to complete a study. Rather than continue with it, we decided to move in the direction of developing regional projects, one in California, well, actually several in California and one in New York, and also having this national consultation of Asian groups to ascertain the major issues that concern Asian American communities around the country.

I do think this consultation presents us with a new opportunities of looking at Asian community in some new ways.

VICE CHAIRMAN HORN. I might say that this is not completely a unique situation. We have had this occur because of the change in data or the inadequacy of data in several situations. Commissioner Freeman and I, for example, for several years have been attempting to complete a report on women and poverty in Chicago. However, the data did not warrant completion given the approach we tried at that time. So, as the staff director has indicated, hopefully this consultation will sort out some of the major problems as perceived by members of the various communities involved and the Commission can continue its thrust in this area.

I regret that we will have to recess now, since we're on a very short schedule; the Commission will reconvene at approximately 1:30, 1:35.

Afternoon Session, May 9, 1979

VICE CHAIRMAN HORN. The Commission's afternoon session will now begin and we will conclude our section on housing with a discussion on the Federal policy in housing as it pertains to the problems of Asian/Pacific Americans.

The first panelist is the Honorable Lawrence B. Simons, Assistant Secretary for Housing and the Federal Housing Commissioner in the Department of Housing and Urban Development.

Mr. Simons, we welcome you here.

Presentation of Lawrence B. Simons, Assistant Secretary for Housing, Federal Housing Commissioner, U.S. Department of Housing and Urban Development

MR. SIMONS. Thank you. Thank you.

It is a pleasure for me to be present at this consultation on the civil rights issues of Asian and Pacific Americans sponsored by the U.S. Commission on Civil Rights, and to be a member of a panel which is discussing housing issues.

I appreciate this opportunity to exchange information with other panel members regarding Federal housing programs and policy as it relates to Asian and Pacific Americans living in the United States. I'm also pleased that attention is being focused on this growing minority group which our most recent estimate now is approximately 4 million persons.

Often characterized as "a model minority," this group has contributed significantly to the growth and culture of our country. Because there is widespread belief that Asian and Pacific Americans do not suffer the discrimination and disadvantages associated with other minority groups, in many instances the special needs of various segments of that population may not always have received the attention desired. I hope that one of the significant outcomes of this consultation will be an affirmation of Asian and Pacific Americans as being an inherent part of the American society with full right for active participation in our Federal programs.

Before coming over I had my staff do some research on the involvement of Asian and Pacific Americans in HUD's housing programs, and they came up with what we feel are some very interesting figures. Under our conventional single-family home insurance program, called the section 203, the classic FHA program which provides Federal mortgage insurance to facilitate home ownership in the construction and financing of single-family housing, Asian and

Pacific Americans comprised 1.7 percent of all of our program activity in fiscal year 1978.

In the section 236 rental housing program, in which the Department provides mortgage insurance and interest reduction and operating subsidies to reduce rents for lower income households which have limitations on income, over 4,000 families or 1.6 percent of the overall total who participated were Asian and Pacific Americans.

A third area which Asian and Pacific Americans participated is the rent supplement program in which Federal payments are provided to reduce rents for certain disadvantaged low-income persons. In this program HUD may pay rent supplements on behalf of eligible tenants to certain private owners of multifamily housing which we insure. In fiscal year 1978, approximately 0.5 percent of the total program activity recipients were Asian and Pacific Americans.

Our current basic assisted housing program is the section 8 program in which HUD makes up the difference between what a lower income household can afford and the fair market rent of an adequate housing unit. No eligible tenant for this program need pay more than 25 percent of his adjusted gross income towards rent. In fiscal year 1978, 1.1 percent of all families housed under this section of the housing act were Asian and Pacific Americans.

Finally, in our low-income public housing program, we house approximately 4,000 Asian Pacific American families, which is three-quarters of a percent of all program activity.

While these figures are somewhat lower than the ratio of Asian/Pacific Americans to the total population, they do indicate that our housing programs are beginning to reach this group. We would hope that Asian/Pacific American involvement would increase.

In addition to housing programs, HUD's community development block grant program is available as a means for improving Asian and Pacific American communities. Although we have no specific figures on the amount of block grant funds specifically applied to Pacific and Asian American activities, so far, we are convinced that this is an important source of help for this group. In this regard, I was pleased to see a copy of the San Francisco Chinatown Neighborhood Improvement Plan. The plan was prepared with broad community input incorporating many of the goals of projects of Chinatown's neighborhood improvement organizations. Such a plan can be an effective tool for programmming the city's improvement activities, particularly those participating included in the block grant program. Along this same line, HUD received a proposal from the National Hispanic Coalition for Better Housing for increasing Hispanic participation in housing and community development. Asian and Pacific American national organizations might wish to consider developing something similar to this proposal.

The Department has also provided a total of $240,000 in grants to support neighborhood self-help revitalization efforts in San Francisco. With a part of these funds the Chinatown Neighborhood Improvement Resource Center will engage in comprehensive land-use and zoning planning for Chinatown north branch neighborhoods, as well as doing planning and program development for activities to be funded under the community development block grant program. It will also help develop the strategies for public housing in Chinatown. With the remainder of the grant the Asian American Service Institute for Assistance to Neighborhoods Inc. [ASIAN, Inc.] will develop commercial revitalization and small business development plans for Chinatown and inner Richmond.

Recently, Mr. Mark Tajima, the Washington coordinator of the Pacific/Asian Coalition [PAC], appeared before the House Select Committee on Aging to testify on the HUD elderly housing program. He described the need for better housing for the elderly Asian and Pacific Americans. He also made recommendations for changes to the section 202 housing for the elderly and handicapped program, which he believed would encourage greater participation by the Asian and Pacific American elderly and handicapped program sponsors. This program is a direct loan program for nonprofit sponsors for the housing of the elderly and handicapped; the direct loan being provided by the Federal Government. One of Mr. Tajima's recommendations was for HUD to provide technical assistance to the Asian/Pacific American community to assist sponsoring organizations in developing the capabilities to manage housing projects as well as to assist them in the preconstruction and construction phases of the project. You will be pleased to know that we are currently preparing a technical assistance package which should provide the means for the Asian and Pacific American community to improve their level of participation in HUD programs generally and section 202 in particular. We believe that this will remove a significant obstacle which now exists. We have studied Mr. Tajima's other recommendations carefully, and you may be sure that they will be given careful consideration in our planning.

Before I close my remarks, I would like to give you some assurance concerning HUD's continuing support of its assisted programs. We believe that the administration's housing and community development program for fiscal year 1980 is a responsible approach to budgetary restraints and to our commitment to assist low- and moderate-income people and improve the physical and economic conditions of the Nation's cities. Our proposals and management initiatives represent a continuing effort on the part of HUD to increase the availability of decent and affordable housing for all people.

Some of the major features of this budget are:

- With respect to assisted housing subsidy payments, a modest decrease of approximately $3 million, however, this is combined with an increase in subsidized housing starts, 200,000 units and the actual provision of aid to over 270,000 more needy families in existing new or rehabilitated units. With this level of funding, by the end of 1980 the Federal Government expects to be making subsidy payments on behalf of over 3.2 million American families.
- The provision of $1.5 billion in low-interest mortgage money for construction of rental assistance multifamily projects along with another half billion to support low-interest mortgages for projects in areas targeted for revitalization. This, again, is a very important program for the continuing construction of multifamily housing both for low-income people and for those areas of the United States undergoing what we call revitalization.
- Increased funding to the maximum authorized level for the community development block grant program. By the end of 1980 nearly $20 billion will have been made available since this program was enacted in 1974.
- Continuation of the $400 million urban development action grant program [UDAG] to assist severely distressed cities and urban counties in the revitalization of their economic bases and the reclamation of deteriorated neighborhoods. The President has requested an additional $275 million for this program, making a total of $675 million for what we call UDAG in 1980. A total of nearly $1.5 billion will have been made available under this program since its enactment in 1977, when the additional funds that we requested are included.
- Enhanced activity in the section 312 rehabilitation loan program. The budget proposal continues this administration's commitment to this effective program with a fairly level amount of resources. For 1979 and 1980, appropriations for this program will total $360 million as compared to $340 million in the preceding 8 years.

We have some important new items in our 1980 budget request. These include, first, $15 million in both 1979 and 1980 for the recently authorized neighborhood self-help development program under which HUD may award grants and other assistance to neighborhood organizations to form and carry out specific housing, economic, and community development projects in deteriorated neighborhoods. Secondly, $5 million in both 1979 and 1980 for the new liveable cities program to assist State and local government agencies and nonprofit organizations in undertaking projects of historic, artistic, or cultural merit as part of the neighborhood revitalization. And, finally, we've asked for $3.7 million for a new program to assist an estimated 31 State agencies process discrimination complaints under the 1968 fair housing legislation. We believe that the fiscal year 1980 budget will provide ample opportunity for increased Asian and Pacific American participation in HUD programs.

In closing, I would like to reaffirm HUD's interest in and concern for the Asian and Pacific Americans as well as all other minorities. HUD is proud of the overall progress that it has made in serving minority groups and is striving to do more. This has not been by chance but because of a partnership that exists between the Federal, State, and local government and local groups. We believe that this partnership can be a driving force in accomplishing the goals of the Asian and Pacific Americans. Dramatic improvements may not happen overnight, but with the efforts and cooperation of all concerned, and the continuation by HUD of needed programs, we can expect the steady increase in the involvement of Asian and Pacific Americans.

Thank you very much.

VICE CHAIRMAN HORN. Thank you very much.

Our next panelist is Mr. Jerome Riffel, who is a member of the city council of Kansas City, a professor of urban law at the University of Missouri, and director of housing litigation for legal aid of western Missouri.

Presentation of Jerome Riffel, City Council, Fourth District, Kansas City, Missouri, and Professor of Urban Law, University of Missouri

MR. RIFFEL. I would like to preface my remarks today with a few statements on our country's national housing policy and the objectives set up by Congress through the years and how they impact upon Asian Americans and other low-income minorities.

I think the first thing that you should remember is that there is no specific national housing policy or housing program which relates to helping low-income people as a group, regardless of their race, etc. The national housing policy generally makes provision for low-income people. Of course, there are two principal programs which Asian Americans and others have used. One is generally owned and managed by housing authorities under local enabling legislation which is financed and authorized under the United States Housing Act of 1937, as amended. This housing is what you ordinarily hear referred to as public housing.

There are three principal types—turnkey, conventional, and in later years, there are various options which can be privately owned under section 8 of the Housing and Community Development Act of 1974.

In terms of the use of housing in Kansas City by low-income Asians, the other principal program has been housing subsidized under section 236 of the National Housing Act. It's particularly important to remember that this housing is privately owned and privately managed and may have various Federal subsidies piggybacked to the interest subsidy authorized by section 236.

In 1949 Congress made a national commitment, a provision of so-called "safe, decent and sanitary housing" for every American family, particularly low-income families. As you know, we haven't even come close to providing suitable housing for low-income Americans.

In 1969 this was again reaffirmed. Congress made a conscious change of direction toward the private sector, determined to provide as much housing owned by the private sector as was possible, directed HUD to give priority to provision of low-income housing developed by the private sector, set a goal of 600,000 units a year for the decade ending in 1978.

As is widely known, these goals have not been reached for various reasons, the moratorium of '73 and so forth. The failure, or rather, the partial failure of the national housing policy—which I'm glad to say that Larry Simons and others in HUD are now remedying some of these past problems—has impacted greatly upon the housing opportunities for low-income Asians in Kansas City.

Now, the example I'm going to give you, which I think shows the problems that we face in this area, is the incoming refugees, Vietnamese predominantly, but also from other areas of Southeast Asia, that came to Kansas City between 1975 and the present date. The first wave—about 800 Vietnamese—entered the Kansas City area, were sponsored by individual American families, and were dispersed throughout the Kansas City metropolitan area.

For example, one church might sponsor two middle- or upper-middle income Vietnamese families. In another area of the city there might be a family sponsor or a private business sponsor. These individuals, for the most part, were well educated. They were literate. They spoke and they wrote English well. They had skills and they had worked with Americans in various capacities in Southeast Asia.

As far as we've been able to determine, they assimilated rapidly into the general population, are considered assets to the community, have jobs, and so forth.

Now, beginning in late 1975, a second wave of Vietnamese refugees came to Kansas City. This was a quite different group of people. They were low-income Vietnamese persons. They were not well educated. Many of them did not read or write Vietnamese, much less have any understanding of English.

These Vietnamese families were predominantly fishermen. They had been told, as incredible as this may sound, that they could make a living in Kansas City by fishing in the Missouri River.

They had no idea, for example, how to even turn on a modern furnace in a midwestern city. They had no experience with things like heating elements or indoor plumbing. They were indeed in a strange society to them.

Well, the Kansas City culture found them about as strange as they found the Kansas City culture. They [Kansas City] embarked upon a completely different system of handling this resettlement. At that time, the Kansas City Housing Authority was experiencing many of the same problems as other major housing authorities in other areas of the United States. The housing developments that were to be used for the Vietnamese were located in older neighborhoods located entirely within the Kansas City School District, were served by schools which were impacted by low-income minority families. These housing developments had, for example, 90 percent or more low-income minorities.

In one case, a low-income housing development administered by the Housing Authority of Kansas City was located in an older neighborhood, inhabited for the most part by middle-income Caucasians who resented and disliked the existing low-income residents of the development.

Well, very frankly, one of the central reasons that they put the Vietnamese in this development was to act as a buffer; a minority group, if you will, which this group considered less offensive than that of the minorities already living there.

The existing low-income minorities were given no preparation for this large influx of Vietnamese families. The Vietnamese families were given absolutely no help in terms of the use of the facilities, in terms of relationships with other minority groups in the area, and, as you might expect, the result was a little short of disastrous.

First of all, the low-income black families residing in that development did not like the Vietnamese. They resented the benefits that the Vietnamese were getting. For example, an ADC family could receive welfare benefits, even though the father was in the home, which, of course, was not the case with a black family. The Vietnamese were given priority on the waiting list of the Housing Authority of Kansas City and jumped over various low-income minorities.

On the other hand, it also turned out after the city got involved that the Vietnamese disliked the low-income minority blacks. The reasons for this aren't exactly clear. It was shown by the city of Kansas City, department of human relations, later that the South Vietnamese had experiences with black colonial troups as early as the 1950s during the

French Indochinese War. It was also shown that during the Vietnam War, the Vietnamese noticed and were influenced and affected by the racism and racial feelings of both white and black American soldiers. And, it was also very clear that the Vietnamese, for example, greatly resented black persons who were in positions of authority.

There were also various cultural differences between their American counterparts, which led to conflict.

I'll just give you one short example of this. A Vietnamese child and a black child at one point, in a housing development known as Guinotte Manor, had an altercation. Now, in Vietnamese society, it is permissible for one adult to discipline the child of another family. This is accepted, it is regularly done, it is a good social more, and it is good conduct.

Well, in American society, as you well understand, this may or may not be acceptable. In this case, a Vietnamese male disciplined a black child, and an altercation developed between those two persons. The Vietnamese, as is their style, gathered in the courtyard outside to discuss this dispute. This was misinterpreted by the black, low-income residents as hostility and they, in turn, got shotguns and so forth. For a period of about an hour and a half they had a full blown war going on between the black and Asian residents of Guinotte Manor.

Well, after this, the Department of Housing and Urban Development, the city of Kansas City, the State of Missouri, and various other agencies began to see that things had to be done in terms of working out these problems.

The department of human relations of the city of Kansas City, for example, assigned two social workers who began a system of communication between the two low-income minority groups. The State of Missouri finally began participating in the Asian resettlement program sponsored by the Federal Department of Health, Education, and Welfare. The Department of Housing and Urban Development had various specialists also working on the problem.

But what you really get back to is what is the failure of this and what does it show, and I think it really reflects in large part a failure of our national housing policy. The Housing Authority of Kansas City did not have dispersed units located in good neighborhoods.

Even though the Secretary of the Department of Housing and Urban Development was given a Federal directive in 1969 to push for dispersal, this effort has not been successful in Kansas City, and it has largely not been successful in other areas of the country.

It has only been with the Carter administration, with the recent efforts in HUD's disposition program which Larry Simons here has helped to develop, that we have really begun having the successful placement of low-income units in suburban areas.

So, what you had was placement of a different culture in an area totally impacted by very low-income persons with various social problems resulting from that poverty.

For example, one obvious thing they could have done, and I've had a lot of experience with this, would have been to use the Community Relations Service of the Department of Justice. As you know, for over two decades, the Federal Government, through the Department of Justice, has developed a service to deal with conflicts between various minority groups, between governmental agencies and minority groups, and others. Disputes can be resolved through various arbitration techniques. These individuals, many of whom I know and have worked with in Kansas City, I think could have avoided many of the resettlement problems which resulted with the resettlement of the Vietnamese in Kansas City, Missouri.

So you have a mixture of things. You have some existing services which could have been utilized to avoid this tragedy and you also have a long term problem. We, in the United States, simply have not, in terms of the construction and development of low-income housing, been able to provide a satisfactory environment for our low-income citizens.

Discussion

VICE CHAIRMAN HORN. Thank you very much, Mr. Riffel. Let me ask you, Secretary Simons, one basic question. We are talking basically about how we deliver housing for low-income citizens, whether they're young citizens with inadequate income, unemployment and underemployment, or whether they're elderly citizens living on low-income retirement, if that.

Proportionately, we know that more minority individuals in various categories fit into those two basic categories than does the majority population.

Now, this morning we had some testimony from a member of the Asian/Pacific American community in New York City about the problems in developing low-income housing in the south Bronx and providing access for individuals of varying minority or majority groups who qualify based on income criteria.

As I recall, the resident made a commitment to do something about the south Bronx. Could you tell me why the Federal Government seems incapable to do something about the housing in south Bronx? I know we could spend all day on this, but I want you to use that illustration to indicate what needs to be done so that this Commission on which I've now served 10 years as Vice Chairman, does not have to listen to testimony every year or so, get itself worked up over the housing problem, and say, "Why can't we do something?" If you could wave a wand, what would you do to turn around some of these laws and programs?

Mr. Simons. I appreciate the opportunity to respond to the question, not only with respect to the south Bronx, which I think is a special problem, but also as it applies throughout the United States. As we analyze the housing need in the United States, a minimum of 5 to 7 million low- to moderate-income families are in need of housing assistance today, which are not being assisted. Add to that those families that have an income deprivation in the sense that they're paying too much of their income for their housing, and there is most likely an eligible population for housing assistance in this country of about 19 million families.

The resources of this country do not permit the addressing of that need rapidly enough to fulfill everybody's wish. I've heard, as I've traveled around the country in the last 2 1/2 years as Assistant Secretary for Housing, many criticisms of Federal programs, most of them are addressed to the point you raise. If I had my wish, perhaps the easiest way to rebuild the south Bronx, or to rebuild any area, and to create the housing opportunities that all these people need, would be to have the financial resources available. I don't think there's any question about this country's technical capacity to produce the housing that's needed. The question is what part of its national economic resources can this country afford to devote to addressing this problem? That's a decision that has to be made each year as a different emphasis is placed on the budget. It has been decided this year, and I think properly so, based on the total national priorities.

Vice Chairman Horn. Well, would you feel it's strictly resources or is it the way we are programming things, the bureaucratic hurdles, the obstacles, the confusion of jurisdictions between city, State, and national government?

I mean I can't believe it's just money, because I don't see programs being too adequately delivered within existing resources.

Mr. Simons. Well, let me comment on that as somebody coming from the private sector into government, and being fully familiar with the actual delivery of housing resources. I think right now that the way to deliver housing is unique to each area that needs that housing. There is no single magic wand that can deliver it. We have a variety of tools available to us to deliver housing. We have, as Mr. Riffel pointed out, public housing which is financed by the Federal Government, built by local public housing authorities, so that the delivery mechanism is an established local public housing authority. We have other programs which encourage the participation of private developers, whereby the Federal Government makes available to them funds for certain sites for the doing of this. We also have programs where State housing finance agencies are using Federal resources to participate in the providing of housing. And we have other programs that encourage nonprofit groups to participate. There is no single answer. What is needed is the working cooperation of all these levels because Congress has mandated in the 1974 act that housing determination and the control of spending of community development block grant money will be at the local level. We fair share the Federal Government's resources for housing down to the local level. Each local government has a responsibility of preparing what they call a housing assistance plan, and these funds flow in accordance with those housing assistance plans.

Now, as far as delivery capacity is concerned, I can speak for the administration. We have been reserving at least 92 percent of the available funds each year. We have taken the section 8 and public housing program from a level of about 40,000 starts in 1976 to roughly 190,000 starts this year. This will be basically a constant level from here on out. So we feel that over the last 2 1/2 years, we have made efficient expenditures of the resources available to us. We are aware, however, that these resources which are being delivered to public housing authorities, to private developers, to State housing finance agencies, and through nonprofit groups are far from adequate.

Historically speaking, the Federal Government's involvement in housing has been basically on the production side. Very little on the management side. Perhaps as a result of this, public housing and assisted housing has been stigmatized to the point where many groups do not desire it in their neighborhoods. This presents a very serious problem to us in the proper siting of projects and the proper accomplishment of our social goals and objectives. In order to turn this around and to refocus the public's thinking that this is a good program satisfying a need, the Department, as I mentioned in my testimony, is seeking to create a greater understanding in these programs by the neighborhood groups and neighborhood involvement.

In dealing with the management side of public or assisted housing, we know that we need neighborhood and tenant participation in these buildings. It strengthens the management, it strengthens the viability of the neighborhoods in which they are located.

VICE CHAIRMAN HORN. Well, I think that makes sense. When you realize that in the south Bronx, since that example came up in testimony, they're probably burning out housing units faster than you can build them, I would think something has to be done in terms of neighborhood cooperation, involvement to get some sense of pride and self-discipline in the community.

Mr. Simons. That's one of the basic thrusts we're pursuing. I'd like to also comment on something I think I saw in the papers this week on the south Bronx. There has been a tremendous loss of housing units in the last year, I forget what the figure was, but it is very interesting that what you just described is what's happening. More units are being taken out of the stock than units being added in the south Bronx.

Vice Chairman Horn. Well, in summary then, you would say that the Federal Government, from its perspective, has done everything it could in that particular situation, and if there's a problem, I take it from what I read in the paper, it's the problem of the needed participation by local entities.

Mr. Simons. When you deal with problems such as in the south Bronx, you are dealing with problems much broader than housing. They did not happen overnight and are the result of many complex factors besides housing. They reflect the entire New York City problem, and the entire urban problem in the United States, and what happens to an area that loses its basic middle-income taxpaying population. Whether the Federal Government has done everything it can do for the south Bronx or not depends upon the objectives that should be reached for the south Bronx at this time. The President, in conformance with his commitment to the area, has funded the establishment of a special south Bronx team headed by Ed Logue, which is developing a plan for the south Bronx.

The Federal Government is willing to look at and fund any reasonable plan which will address some of the problems and the needs of the south Bronx. The question is: Where do you go with the south Bronx? What should be the south Bronx? Such decisions should be made at the local level rather than at the Federal level.

Vice Chairman Horn. Well, I do want to comment on the recent efforts of the administration to pull together Federal line agencies in this area. I happen to live in Long Beach, California, and I know it has been the beneficiary of a very fine coordinated effort between the White House, HUD, and the Department of Commerce, among others, which I think is long overdue in terms of focusing all these different programs and how they can interrelate to each other, between the provision of jobs, housing, and the rest that interact.

Mr. Simons. I serve on the Interagency Coordinating Council, and it is one of the most stimulating activities I've been involved in because it is an opportunity to show that the Federal Government has a total impact and the agencies can work well together. We use that type of an approach in what we call our public housing urban initiative program. This is a program dealing with the most difficult troubled projects in public housing. We've got to turn these projects around to relieve public housing of the unfavorable stigma it has with the public. We have the cooperation of LEAA, Justice, HUD, and Interior. It is a total effort throughout the Government, also involving CETA and the Labor people. We're targeting all of these resources in order to meet the objective that we all agree upon.

VICE CHAIRMAN HORN. Mr. Saltzman?

COMMISSIONER SALTZMAN. No.

VICE CHAIRMAN HORN. Chairman Flemming?

CHAIRMAN FLEMMING. Mr. Secretary, I was very much interested in your testimony relevant to the impact of various programs on the Asian/Pacific American community.

As I listened to your testimony I gathered that you have the feeling that, although some progress had been made in terms of the impact on the Asian/Pacific community, there was room for additional progress.

And I was wondering whether or not at this particular point in the Department of Housing and Urban Development responsibility had been fixed to kind of keep in touch with the needs of this particular community, relate those needs to the various programs for which the Department has responsibility, and I was wondering particularly if, in a responsible position, there is someone who comes from the Asian/Pacific community?

MR. SIMONS. We have people in responsible positions from the Asian/Pacific community. We do not identify any particular person in the Department with the responsibility for any particular minority group. As I said in my prepared text, we have a responsibility to all minority groups. Therefore, the responsibility for the enhancement of opportunity for participation in HUD programs is carried out by the various assistant secretaries. I have my own responsibility for assisted and insured housing programs. We have done extensive work, as I have pointed out, with the section 202 and other programs. The Office of Neighborhoods under the Assistant Secretary Geno Baroni does a lot of work in funding neighborhood groups and group-related activities to help them increase capacity and education.

This has proven to be a very effective tool for encouraging participation in our programs, especially housing programs, by groups who would not otherwise be participating in them. There are Asian American groups being funded through Neighborhoods programs. Finally, of course, we have the Office of Fair Housing and Equal Opportunity under Assistant Secretary Sterling Tucker, which has an overall responsibility to be sure that participation is not denied anyone.

CHAIRMAN FLEMMING. I was going to ask whether you'd had the opportunity in talking with Assistant Secretary Tucker, to know whether or not they had identified any particular issues related to the Asian/Pacific Americans.

MR. SIMONS. We are unable to identify any particular single issue which would be representative of those raised by Asian/Pacific Americans. Assistant Secretary Tucker's Office of Fair Housing and Equal Opportunity receives very few complaints from the Asian/Pacific American minority group. This may be because of their cultural background and self-sufficiency and should not be construed to mean that they do not suffer from discrimination. Assistant Secretary Tucker's office carefully reviews all complaints received. Those received from Asian/Pacific Americans are given the same prompt attention as are those from other minorities.

CHAIRMAN FLEMMING. Mr. Nunez?

MR. NUNEZ. Mr. Secretary, there were some allegations earlier on that, because of the many housing problems that our society encounters, and because as you yourself pointed out, your resources are limited, and because Asian Americans are the newest arrivals to the cities, Chinatown of New York City it was pointed out, was alleged to be the most overcrowded area in the city, that given your already major problems, if you place them strictly on a priority list they're going to be at the end of the line and you're never going to get to the. So how do you plan to deal with that kind of concern?

MR. SIMONS. Policies such as this, Mr. Nunez, are determined at the local level. The decision of how to deal with Chinatown in New York City is a decision made by the New York City government. They have been provided with the resources and it's up to them to deliver those resources. It can be illustrated more clearly by the community development block grant funds which each year become a source of allocation which the city must deal with on a neighborhood-by-neighborhood basis and make the decisions at the local level. We feel that the Federal involvement should be from a monitoring standpoint rather than trying to interfere with local political decisions.

MR. NUNEZ. Would you make the same assertion for the problem that Mr. Riffel brought up of the resettling of Vietnamese refugees into housing projects in a local area, that would be the responsibility of the local government to try to resolve those kinds of problems that he related to us?

MR. SIMONS. The responsibility is one of the local government which made a decision to go forward. We then have a responsibility to cooperate to the maximum extent that the law permits in this type of resettlement. Again, it's a matter of local decision on using local resources. They've decided to use those resources; it's up to us to maximize what they can do with them.

MR. NUNEZ. One of the questions that arose was the question of putting people ahead of the list in terms of priorities for housing, apartments in the public housing projects. Do you have any guidelines for that?

Mr. Simons. Yes, we have guidelines for public housing authorities on who can have priorities. Displaced people happen to be one of the priority categories. There are guidelines out. We do not want to make the decisions for public housing authorities. Within the guidelines they should be making those decisions.

Mr. Riffel. The involvement of the HUD area office in terms of local execution of Federal programs varies, of course, depending on what program they're talking about. Now, like the waiting list problem, the HUD area office has definite control of many aspects of that sort of thing at the local level, where in terms of the placement of units, once they have approved prospectively a housing assistance plan for the placement of units in that area, as long as the selection of new sites by that community are in compliance with that housing assistance plan there's really no way that HUD can interfere. So in terms of the problems I talked about with the Housing Authority of Kansas City, HUD had definite jurisdiction, and could have, at any juncture it wanted, come into that thing and straightened out some of those problems.

I think that's clear.

Mr. Simons. Well, I don't think there's any question but that we have responsibility for the operation of those authorities. As to our standards, and any violation of those standards, we have a responsibility to deal with them.

Vice Chairman Horn. All right, thank you very much; we appreciate both of you joining with us.

I think we've tried to summarize somewhat succinctly here what the response is as seen at the Federal perspective and the local perspective.

Mr. Riffel. If I may make one short suggestion. I have talked at the Department with Mr. Logue, who is studying the south Bronx problem, and also with Mayor Wilson at the same time, of San Diego, and I think it would be a very educational experience for the Commission to speak to someone like Mayor Wilson of San Diego in a developing city, because there has been problems and the processes like gentrification and so forth are much, much different than that of an area like the south Bronx, and Mr. Logue is an extremely intelligent, well-informed man. I think that he could add a lot to these deliberations if you had some method of contacting him.

Vice Chairman Horn. We appreciate the suggestion. We know both of them and I think it would be wise for us to discuss our findings and get their reflections on them.

We thank you for mentioning it.

Chairman Flemming. Thank you both.

The Status of Housing for Pacific Asian Communities in Los Angeles, California

by Kerry N. Doi*

Preface

This paper addresses itself to the major trends and dynamics with regard to Asian and Pacific Islanders in housing in Los Angeles. It is hoped that this paper will give the reader further insights to the multitude of problems Asian and Pacific Islanders face in housing. It is also hoped that the reader will better understand the problems faced by a nonprofit, community-based organization attempting to mitigate such problems. This paper is by no means the "definitive" account of the situation, but rather an overview of a community-based organization's perception of the dynamics of its community environment.

This paper will basically develop the physical and economic trends of inner-city communities, specifically those of Los Angeles. Explained also are the parameters and "framework" of the institution known as a city to which thousands of Asian and Pacific Islanders will locate and hope to make their lives as well as community environment truly viable.

The institution's "framework" is not a good one. Community-based organizations such as the Pacific Asian Consortium in Employment are diligently attempting to solve many of the problems faced by its constituent communities. This is by no means an easy task. Community-based organizations need all the support they can get from both private and public entities to reach a goal that would improve the inner-city environment for all people.

Summary

Basically, it was found that the institutional "framework" of the city given to the Asian and Pacific Islander people is a very poor one. The inner city suffers from physical and economic deterioration of its infrastructure. In most cities, Los Angeles included, dollars were invested only to dislocate the indigenous populations who were employed there. As the housing stock deteriorated, the small amount of new construction took only the form of high-cost housing.

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Most Asian communities are located in the central city, a trend that has spanned many generations. These communities drew new influxes of Asian and Pacific Islanders as they fled from their homeland. Not possessing job skills, these people began employment in low-paying, low-skilled jobs found close to their homes. The low pay to cover expenses of their new large families increased the economic burden on these people. Low-moderate income housing came to be in high demand.

As a solution, the Pacific Asian Consortium in Employment (PACE) was founded by community members and has been successfully attacking one of the major problems that the community faced: unemployment. PACE soon saw that the people's needs were more, and that community viability rested on a comprehensive approach, utilizing government as well as private dollars in economic, employment, and community development (housing) activities.

PACE has embarked on implementing its housing goals but has encountered many problems. PACE, therefore, has developed and has proposed solutions that would help community-based organizations facilitate housing activities. These are:

1. Technical assistance
2. Capital
3. Special incentives

Status of Housing for Pacific Asian Communities in Los Angeles, California

The central city of Los Angeles is very similar to the downtowns of most large metropolitan cities. Negative urban dynamics have been slowly eroding the social, physical, and economic infrastructure, thus becoming most evident through the late 1940s to the early 1960s. The exodus of the middle class to suburban communities created a vacuum that majority and low-income residents began to fill. The older, deteriorating environmental conditions slowly led to urban decay which resulted in dilapidated, unsafe, and unsanitary living conditions.

The squalid conditions faced by central city communities were not overlooked. The prime lucrative commercial and business areas provided the economic incentives for public and private entities to "prime the pumps" for inner city community development activities. From the early renewal activities to current neighborhood strategy programs, billions of dollars have been pumped into deteriorated communities which have resulted in the slow reattraction of the more affluent middle class. Such purposeful community development programs have resulted in problems. This especially is true for minority and poor residents who are frequently forced to relocate as rents and taxes in "revived" areas rise concurrently with property values. Unable to cope with the higher property values and accompanying higher taxes and rents, the low-moderate and fixed-income peoples are displaced to suburban communities.

The central city portion of Los Angeles provides over 40 percent of the employment opportunities for the city of Los Angeles. The bulk of this employment is in two industries: service and manufacturing. Between the years 1970–77, central city community populations have grown substantially and clearly reflect the high increase found in the labor force participation rate. Sixty percent of the labor force is service or manufacturing related in which the city has concluded that there remains and will remain a very high demand for low-moderate income housing. A recent Los Angeles city economic housing study stated that:

> A huge housing deficiency in the central city has resulted in the substantial commuting to the central area for employment. Much if not most of this travel is, of course, done by choice because of the desire to reside outside of the central city area. However, some of these travel patterns are created simply because the availability of housing for low- to moderate-income populations is so restricted within the central city. Any additional low-value family housing created within the area would easily be absorbed by locally employed people.

Further, it was recommended and stated that:

> Housing programs in these areas should be directed toward subsidizing construction of low-cost, multiple-unit buildings to provide housing for those low- to moderate-income households which work in the area. In this manner, commuting patterns could be reduced by supplying affordable housing to those families employed in the local area in lower paying occupations.

The study also stated that the service- and manufacturing-related industries yield lower average employee incomes. This is reflected by the areas' lower median income statistics. The strong demand for low-moderate income family housing remains a void that must be filled to accommodate the lower income, service- and manufacturing-related employment market.

Between the years 1970–77, the city of Los Angeles experienced a large immigration of Asian and Pacific Islanders. Because of the turmoil in Southeast Asia and the general instability of the political climate, the Asian and Pacific Islander community grew at rates far beyond those estimated by the city. In many instances, the newly arrived refugees located in other U.S. cities but later migrated into Los Angeles because of the weather, family, and communities.

Most of the immigration as well as migration targeted into the central city communities of Los Angeles. Chinese and Japanese populations have located in many of these communities for generations. These older traditional Asian communities became the anchor and draw for the new Asian and Pacific Islander populations. The declining central city communities provided ample space for these new people, but the inadequate infrastructure (physical and economic), became a hindrance to true community viability.

In many statistical areas, the Asian and Pacific Islander community doubled. The city's population, education, and housing study in 1977 indicated "much faster population increases in the Asian population projected by previous trends." It was also determined by the city that since 1960, housing overcrowding for Asians has increased drastically, "They have experienced a greater increase (16.5 percent) of overcrowding than any other racial group: black, Chicano, or Anglo." The substantial overcrowding has been attributed to the inability of large families to find large affordable housing in the area. The new relocation of large families has been somewhat substantiated by recent analysis of elementary school data. In many Asian and Pacific Islander communities, the elementary school populations has more than doubled, an indication that many new families are locating in central city areas.

The Asian and Pacific Islander immigrants that locate in the area generally do not have the necessary job skills—English, job training—to obtain higher income salaries as well as entry-level positions. The inadequate employment skills become an additional damper to community viability. Job assimilation, more than likely, occurs within the manufacturing and service industries, which are reflective of central city communities.

Housing and employment problems are closely integrated with the transportation problems faced by the new immigrants. These people are less able to commute as freely as the mobile middle class. It becomes essential that these individuals find affordable housing near their place of employment.

Thus, the dilemma remains: finding low-skilled employment—found mostly in the central city—for individuals and locating affordable adequate housing—found mostly out of the central city—to provide the necessary environment for a decent livelihood. The problems of employment and housing must be met to help provide overall community and city viability, in terms of the physical, social, and economic infrastructure.

PACE

The Pacific Asian Consortium in Employment (PACE) was originally founded in late 1974 through the efforts of a coalition of various Asian community groups and individuals—Japanese, Korean, Filipino, Chinese, and Samoan—concerned about the growing unmet needs for manpower development services in the Asian community. Through the sponsorship of another Asian program, the Asian American Drug Abuse Program, PACE was initially funded in January 1975 to operate a CETA training program for the city of Los Angeles. Since then, PACE's funding has grown over 400 percent. Starting with $354,000 for CETA job training services, PACE has currently some $1,580,000 in grants through such sources as CETA (city of Los Angeles and county of Los Angeles), IRAP [Indochinese Refugee Assistance Program] of the U.S. Department of HEW, Community Block Grant (Los Angeles City), and Urban Housing Development Loan (California State HDC).

Through PACE's direct placement program, work experience, on-the-job training, and classroom training (English as a second language, clerical, and bookkeeping), PACE began to address the first chronic need of the community employment. Three years after developing a successful employment program, PACE clearly saw that the problems faced by its clientele and community went far beyond employment and that it would take a comprehensive approach that included employment, as well as housing, to bring forth true community viability.

On September 14, 1978, the PACE board of directors voted and approved the formation of the PACE Housing and Community Development Corporation to be the tool that would address the second most vital need faced by its clientele: housing. With the help of governmental and private funding programs, PACE Housing and Community Development Corporation hopes to address the problem of community decay and disinvestment that is currently eroding Asian and Pacific Islander communities.

Through the Housing and Community Development Corporation, PACE hopes to attempt to alleviate some of the problems facing low-moderate income family residents. PACE Housing and Community Development Corporation is currently planning the construction of 30 to 50 low-moderate income family housing units. The initial project is to be located on vacant scattered sites. This ambitious goal will hopefully help relieve some of the demand for such housing faced by the residents who are being displaced as well as alleviate the shortage of low-income units. In this project, PACE will implement four very important objectives:

1. Provision of family housing for low-moderate income people.

2. Maximum utilization of land without displacement.
3. Scattering impacts of low-moderate family housing.
4. Providing housing that reflects the overall economic conditions of the area, i.e. low incomes, large families.

In embarking on this ambitious mission, PACE Housing and Community Development Corporation has encountered many problems similar to other community organization attempts to provide housing. Basically, PACE has found difficulty in the following areas:[1]

Predevelopment Services

1. Property Identification/Land Acquisition Cost

PACE has utilized a realtor to identify and locate vacant properties in the proposed impact area. Like many inner city areas, land is expensive and owners of such parcels tend to be holding them for speculating purposes. A new, nonprofit community housing corporation has a very difficult time negotiating with an owner, especially if the organization has no substantial assets. Thus, the high cost of land makes many projects infeasible, even with HUD's section 8 rental subsidies.

2. Architectural Engineering Services

Because a new, nonprofit entity has no substantial assets, it is difficult to hire architectural/engineering services unless the architect or engineer agrees to be paid contingent to permanent financing. Through this method, it become very difficult to hire good experienced architects.

3. Market Surveys and Cost Analysis

To truly understand how to conduct such activities, it is necessary for experienced developers to teach community organizations how to carry out studies. This is accomplished only through *willing,* experienced developers.

4. Gaining Government Cooperation, Support, and Cooperation

Agency support and cooperation is usually achieved by the organization's "proven" ability. Housing agencies, understandability, "bank" on tract record as a criteria to funding projects. This factor impinges on the ability of new organizations entering the housing field and gaining support cooperation as well as approval from governmental entities.

Financial

1. Identification of Appropriate Sources

To clearly become aware of appropriate funding sources, it is necessary for community organizations to become "plugged into" the housing information network. This is done through time and money.

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[1] This outline is from Community Development Corporation Housing Activities, Economic Development Law Project, Berkeley, California, November/December 1978.

Federal, State, and local policy must be well monitored. Conferences and newsletters must be attended and subscribed to by individuals knowledgeable of housing concepts to gain the maximum use of such information.

2. Financial Applications and Packaging: Section 8

Experience again becomes the key element in developing proper applications for governmental or private financing. To know what the funding is looking for in packaging applications, it becomes necessary to get past step one of the housing development process.

3. Syndication/Investments

In most instances, developers "break even" or make profits only through depreciation and tax incentives. In Los Angeles (now with rent control) owners are running projects with negative cash flows, that is, spending more in payments and receiving less in rent income. Profit is made only when depreciation and tax incentives are included. Nonprofit agency cannot utilize depreciation or tax incentives because they are already tax exempt. Project feasibility, therefore, rests on the ability for incomes to be greater than costs.

Syndication or limited-dividend partnerships is a method whereupon the tax advantages are sold to investors. In most instances, this is the most profitable means of packaging housing programs. One problem arises in developing the proper legal structure for such a venture.

In most governmental programs, such an entity can no longer be considered a nonprofit corporation. Thus, the financing subsidy rates are lower and, in some instances, programs are totally unavailable.

Organizational/Other Legal

1. Ownership Structure/Coventure/Contracts

Subsidiary housing development corporations, real estate holding companies, limited partnerships, cooperatives, and other legal entities are frequently required to carry out the project. Contracts for services, construction, and financing are necessary. Laws and governmental regulations many times require legal interpretations, and in some cases, changes need to be advocated in order to allow effective participation by community-based groups.

Training

1. Real Estate Development/Management/Housing Construction

PACE, in entering the housing field, hopes to develop its own management entity as well as develop a housing construction entity. PACE, as well as other community organizations, can therefore develop permanent jobs and training in the management and construction fields. Organizations such as PACE can thus provide, through a permanent mechanism, housing and jobs for their constituent communities.

Regulations/Restrictions

1. Land Use Intensity [LUI]

The land-use intensity number is an indicator that determines specific limits to land use on any FHA-HUD [Federal Housing Administration-Housing and Urban Development] programs. The local HUD area office determines this ratio that essentially determines the projects:

1. FAR—floor area ratio
2. OSR—open space ratio
3. LSR—living space ratio
4. RSR—recreation space ratio
5. OCR—occupant car ratio
6. TCR—total car ratio

It has been found that the ratio number for the area in which PACE targeted activity is somewhat restrictive in attempting to build on scattered sites.

2. Article 34

Article 34 is a State law that requires cities to pass a referendum to allow public dollars to go to the use of housing production. The city of Los Angeles passed such a referendum on the stipulation that there be no more than five units per site.

3. State and Federal Building Requirements

HUD as well as California's Housing Finance Agency both have minimum standards to which construction must adhere. California Housing Finance Agency (CHFA) has a direct lending program that provides 100 percent loans at 7 3/4 percent for family housing production. The State's share of section 8 is also automatically coupled.

The program is a sound one except that it cannot work in the inner city communities of Los Angeles. Being relegated to five units per site (article 34) and restricted to a low LUI requirement, feasibility problems arise. The project becomes totally infeasible when added to these restrictions, as the CHFA room size requirements. [See table 1.]

4. Permit Process

As it stands now, cost overruns become a major deterrent to project feasibility. The permit process (city level) and conformance to building standards not only adds to the costs but also extends construction time in which time inflation relegates the project infeasible.

TABLE 1

Room Sizes (sq. ft.)

Type	**CHFA**	**HUD**
2-Bedroom	850	650
3-Bedroom	1,050	830
4-Bedroom	1,250	990

PACE Housing Community Development Corporation as well as many community organizations face the above-mentioned problems in their attempts to provide needed family housing. PACE has three major recommendations that would help stimulate low-moderate income family housing in areas where it is needed. They are:

1. **Technical Assistance:** Funding is needed for organizations to hire an experienced, competent housing specialist. Such a specialist would have worked for a private developer and know how to package housing projects. This person would be knowledgeable of housing projects. programs, and policies. The specialist would be familiar with all aspects of housing production and would train others within the organization.
2. **Capital:** Dollars are needed to negotiate for land and help underwrite project costs. This would be necessary for only the first project because it is hoped that the organization would generate its own capital and equity. Predevelopment fees are necessary to cover architectural and engineering fees.
3. **Special Incentives for Nonprofit Corporations:** Government programs should have more incentives to attract nonprofit community organizations. As it now stands, there are more negative reasons for agencies to develop with low-moderate income family housing, especially in inner-city communities. Community organizations better reflect the wants and needs of the people and would better target activities to such needs without having profits as its prime goal.

Statement on Housing Issues—Impact

by Harold Lui*

The issues confronting the Asian communities throughout the United States are many and varied. Like any other minority living primarily in the inner city, especially in the older cities of this country, we suffer from the usual problems of unemployment, underemployment, health problems, youth problems, poor and inadequate education, and, in the area I would like to address today, inadequate and insufficient housing.

In a recent publication, *Neighborhood,* published by the New York Urban Coalition in New York City, community leaders in the Chinatown community identified the lack of adequate housing as one of its major problems. Chinatown, once a small compact and self-contained community of approximately 5 to 15 blocks, has now grown to encompass a 3-square mile area on the lower east side of Manhattan. The most accurate estimate of the Chinese population in this area ranges from 100,000 to 150,000, more than one-third of the total population of this same area. While the numbers are staggering, the rate of increase is even more impressive.

It will blow your mind when you realize that according to New York City Planning Commission estimates, the number of Asian Americans in New York City has doubled since 1970 (179,734), while the Chinese population has increased by 25 percent. Furthermore, only the other day we were informed that the expected immigration flow from Vietnam and the mainland of China to New York City could exceed 10,000 a year. One has to wonder: Where are they going to live? Where does Washington expect to place them?

Decent low-income housing is difficult to find any where—in New York City, in the United States, or in the entire world. In New York City, every neighborhood is suffering from the shortage of low-income housing. Chinatown, one of the oldest communities in the country, is an area where the early Americans settled in the mid-1600s. Today its housing stock consists mainly of old law tenements built before the 1900s (walkups six to seven stories high) many of which still have no central heating or efficient electrical units. According to an HEW study, one-fifth of Chinese families have inadequate plumbing and one-third live in overcrowded apartments.

The 1970 census tallied or mistallied close to 3,000 dwelling units in the core of Chinatown, virtually all renter occupied, overcrowded, and frequently deteriorating. The five blocks of central Chinatown have a density exceeding the maximum dwelling units permitted by law. Almost every new Chinese immigrant settles originally in the Chinatown area, squeezing in with relatives. There is no such thing as a vacant apartment in Chinatown. Almost every apartment where Chinese are living is spoken for before the family moves out. Without a doubt, New York Chinatown has the highest population density in the country.

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* Harold Lui is with the Chinatown Planning Council in New York City.

The problems of our youth, the high rate of tuberculosis cases and scholastic deficiency can be attributed to the problems of overcrowding. Indeed, when students must eat, sleep, and do their homework in the same room, their school work must suffer. A recent report on reading scores in the New York City public schools revealed that in the Chinatown area, schools where there are a majority of Chinese students, less than 45 percent of the students were reading at the national median level. (These are schools where there are no truancy problems, no disruptive students, and few broken families.)

In this same area there are approximately 9,500 units of public housing for low-income families, of which less than 1,500 are occupied by Chinese. While the Chinese population constitutes close to 35 percent of the total, less than 15 percent occupy apartments in public housing. While applications of Chinese families increased markedly over the last few years, turnover of apartments in the New York City Housing Authority is very low and a long waiting list exists at the applications office. Families have had to wait as long as 2 or 3 years to be called for available apartments.

To make things worse, the prospects for low-income housing appears dim for the coming year. Ever since the moratorium on housing imposed by President Nixon, the country has not really recovered and has been unable to address itself to these needs. The administration is proposing funding for fewer units this year and the Congress is looking to cut even more. From a goal of 600,000 new units a year, it is estimated that the likely level would be closer to 223,000 units. For whatever units can come to New York City, the commitment has been made to areas such as the south Bronx and Brooklyn. Section 8 monies and community development monies are committed this year to the rehabilitation of existing dwelling units. While New York City is wrestling with the problems of property abandonment in sections of Brooklyn and the south Bronx, there are no abandoned apartments in Chinatown. The housing problem in Chinatown is clearly a massive one.

In addition to section 8 programs and community development funds, a new commitment must be made to build low-income housing in the Chinatown area. It's not enough to say that millions of dollars will be coming to New York City. The voice of the Asian community in New York City is only a whisper, and although city hall is only a few blocks from us, we may just as well be on the other side of the world. The community must be given assurance of having equal access to whatever available funds there are.

The time for planning is now. The last urban renewal plan on lower east side took place 20 years ago and is now finally being completed. If we begin now, we may see some results within the next 10 years.

Finally, let me suggest that we build housing where seniors and their families can live together. Why not develop incentives to keep our families together? Where does it say that seniors must live away from their children and their families? Why not build apartments so they can live next to each other? Not everyone can afford to have their parents live in retirement village—nor do we want to. Instead, most of us are forced to squeeze in with parents or leave them alone in isolated areas in the cities. There is nothing more depressing or lonely than seeing senior citizens living in cold water flats or in fear in broken-down tenements. What we need is a commitment to improve the living conditions of our people in our communities and to provide money with the commitment.

- Clearly, if we can spend billions to assist corporations on the verge of bankruptcy, we can assist cities in similar situations.
- If we can spend billions to prevent war in the Middle East, we can spend billions to keep our inner cities at peace
- If we can invest in other countries, we can invest in our own communities
- If we can rebuild countries with whom we we have been at war, we can rebuild our cities

Finally, if our government can play a major role in assisting citizens of other countries, it surely must play a major role in helping citizens and taxpayers of our own country.

Housing Problems in South of Market, San Francisco

by David G. Ilumin*

West Bay Pilipino Multi-Service Corporation is a nonprofit, community-based service agency. West Bay, through its senior, youth, legal, and immigration services components serves approximately 100 new clients a month. Although West Bay serves clients from all parts of San Francisco, a major portion of its clients reside in the south of Market area, located in the central city district which also embodies the Tenderloin, downtown, and civic center areas.

There is no other residential area in San Francisco quite like the south of Market. Housing can be found on the same block as parking lots, manufacturers, retail and wholesale outlets, warehouses, and offices. Many of the side streets contain two and three story frame apartment houses mixed with other nonresidential buildings. On a typical block, commercial and industrial buildings, and some residential hotels dominate the main streets.

In San Francisco's overall economic structure, south of Market is a major land resource for incubator industries, downtown support industries, and low-rent housing. Although it has only 3 percent of the city's overall land, south of Market possesses 31.5 percent of the city's total commercial/industrial areas, and although it contains only 3 percent of 1 percent of the city's residential land, virtually all of the residences are for lower income people.

Housing for the elderly consist mainly of residential hotels, while at the same time, most recently arrived immigrant families can be found mainly residing in two or three story apartment houses. The most common deficiencies found in south of Market housing units are electrical, plumbing, maintenance, health and sanitation, and fire safety. More than half of all housing units have at least one of the mentioned deficiencies. Generally, it can be stated that half of the residential housing units are found in substandard conditions. Overcrowding is probably the most critical housing problem for families in south of Market. Overcrowding has countless negative impacts. Generally, it is not healthy, either physically or mentally for the occupants. It is not uncommon to find an average recently arrived Pilipino family of six to have relatives and friends staying with them in a two-bedroom apartment. Overcrowding has adverse effects on the housing units since overcrowding leads to rapid deterioration of the existing housing stock and can lead directly to substandard housing itself.

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* David Ilumin is the director of West Bay Pilipino Multi-Service Corporation, in San Francisco, Calif.

However, despite the small amount of improvement and the large number of absentee landlords, many tenants take pride in their homes. It is common, for example, for Pilipinos to maintain the inside of their apartments very well even when they are overcrowded. Many also have a positive feeling about wanting to improve the area and to stay as a permanent resident but cannot afford the cost of a home in south of Market.

The 1970 census states that many south of Market residents are paying more than 25 percent of their incomes for rent. Of the total Pilipino families residing in San Francisco (8,000), 26 percent (2,080) of these families are earning incomes below the poverty levels defined by the Federal Government. Seventy-five percent (1,560) of low-income Pilipino families reside in south of Market. Considering that at least 25 percent of all San Francisco Pilipino families reside in the area, and with the rapid increase of immigrants establishing their residence and while at the same time the Pilipino community having a birth rate twice that of city average, south of Market's housing problems have the potential to continue to worsen.

The elderly in the area have been tremendously affected by the housing situation. Redevelopment of an area for a convention center within south of Market led to the demolition of several residental hotels. The elderly, mostly single men with annual incomes of less than $2,000, were displaced from the redevelopment area and moved to other hotels either in the Tenderloin or to other parts of south of Market. The physical and mental impact on the senior citizen has caused many ill effects.

Although life in residential hotels may be a marginal one, it gives the senior citizen independence and a sense of community. A mutually supportive system has developed where friends help each other during bad times and keep an eye out for each other. There are really few other places in the city for these people to go. While the number of residential hotels is dwindling due to redevelopment, the few new elderly housing complexes cannot replace what has already been demolished.

The International Hotel is a graphic example of the need for low-income housing, especially for the elderly. Manilatown, adjacent to Chinatown, has experienced many great losses in terms of community services and small businesses which were essential to help support the needs of low-income Asian elderly. Barbershops, cafes, and other small businesses, which served as social gathering places for seniors, have given way to the expansion of the financial district. Pilipino seniors can be found residing in many of the residential hotels in Chinatown and Manilatown.

Even though there are some social service agencies and programs, such as the Manilatown Senior Center, the problems caused by the lack of low-cost housing are overwhelming and even the services seem scarce.

The need for low-cost housing exists in most, if not all, urban Asian American communities on the west coast. Senior citizens and low-income families also need community services to help deal with the social problems generated by poor housing conditions. Neighborhoods with mixed uses like south of Market cannot afford to lose any more housing units to commercialization. A healthy neighborhood environment will allow immigrant children and their families to at least experience living in a safe community atmosphere. The civil rights of the young and old, the longtime resident, and the immigrant are rapidly being overlooked in the context of housing. Being deprived of decent, low-income housing in safe and healthy neighborhoods can only produce negative attitudes among its residents. But because of the overwhelming power of corporate industries over elderly and recent immigrant, the political nature of the housing situation becomes very complex to the poor and powerless.

To address the problems previously mentioned, we suggest the following:

A. That all levels of government support and provide technical assistance to community based, nonprofit housing development corporations. Such support and recognition will generate input from community residents, tenants, and owners, thus, allowing more interaction between the community and policymakers.

B. Encourage local governments to adapt the existing Federal policies, to be flexible enough to help increase ownership of housing by local residents, and thereby increase community control over its housing stock.

C. Improve the quality of existing housing through rehabilitation, without placing unwanted financial burdens on occupants. Although rehabilitation is not a cure all, it must be accompanied by other improvements, including new housing, to have a lasting effect on improving life in the community.

D. In urban areas with huge concentrations of unemployed, low-income people, priority should be given to hire local residents with construction skills to develop new housing or to rehabilitate existing housing. Job training and apprenticeship programs should also be established in the community to help train residents.

E. Encourage the expansion of section 8 programs and other Federal, State, and local programs which seem feasible for areas such as south of Market.

F. In areas which consists mainly of low-income families, develop housing units with adequate numbers of bedrooms per unit, except for elderly housing. Overcrowding will be reduced as well as health and safety problems.

G. Community facilities, its services and programs, should expand and develop simultaneously with the rehabilitation of existing housing and with the development of new housing. Such services are essential in the improvement of neighborhoods and are very supportive in dealing with the socioeconomic problems experienced in low- income urban areas.

H. Increase funding and expand programs to improve the total quality of inner-city areas and neighborhoods which contain a substantial number of residential housing, even though such areas are not zoned for residential use.

I. Support the establishment of new programs for residential hotel rehabilitation. Because of the large number of elderly and immigrant families residing in hotels in San Francisco, this alternative can help alleviate the substandard conditions found in residential hotel units.

Housing Problems in San Francisco Chinatown

by Gordon Chin*

The Chinatown Neighborhood Improvement Resource Center is a community planning organization working on the physical improvement of San Francisco Chinatown. From our experiences in the last few years, we have a very definite opinions about the Federal response to our community needs. But first, I would like to relate some of the unique problems we face in Chinatown.

HUD-financed No. 701 study in 1972 concluded that San Francisco Chinatown has the worst housing conditions in the Western United States. Virtually all of the housing stock in Chinatown was built shortly after the 1906 earthquake and is substandard. Most of the residential units are hotel rooms, with severe heating, electrical, and plumbing deficiencies. Overcrowding is a notable problem, with our elderly and families having to share communal bathrooms and kitchens. Our 84 percent renter occupancy is among the highest in San Francisco.

Chinatown now has 132 residential hotels, comprising over 5,000 housing units. This large number of hotel buildings gives Chinatown the highest population density in the United States outside of Manhattan. This problem is compounded by the fact that the population is largely senior citizens and their numbers continue to increase.

Our community is situated between four of San Francisco's wealthiest areas (Nob Hill, Telegraph Hill, Russian Hill, and the financial district), making new housing opportunities almost impossible.

Land costs in Chinatown today commonly reach $200 per square foot. As any local realtor will admit, there is no such thing as "fair market value" in Chinatown. This situation, combined with pressure from the financial district to expand, creates substantial demand for intensive commercial uses in Chinatown at the expense of residential uses and neighborhood-serving small businesses. Conversions from residential to office or retail space is becoming increasingly common. Thus, Chinatown, while increasing in population, is losing its housing stock.

It is no accident that many Chinatowns and Asian communities face similar problems of displacement and pressures from commercialization, high land costs, and congestion. Like many immigrant communities which have developed near ports or other transportation points of entry, Chinatowns are often located near downtowns or financial districts which also develop around transportation services. Thus, San Francisco Chinatown has lost many housing units to financial district expansion in the last two decades. Manilatown, once a 10 block thriving Filipino community next to Chinatown, has been nearly destroyed. What is too often forgotten is that San Francisco Chinatown existed long before there was a financial district.

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* Gordon Chin is executive director of the Chinatown Neighborhood Improvement Resource Center in San Francisco, Calif.

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The Federal Government must correct its past insensitivity to Asian community housing needs, both in quantitative and qualitative terms. We need a commitment for our fair share of community development, section 8 subsidies, and other programs. Equally important is the Federal Government's commitment that programs can be adapted or created to meet our unique needs.

We would like to suggest the following measures:

1) Capacity Building

Traditional housing programs have not met the unique needs of Chinatown communities. Government at all levels should recognize the essential role of community-based, nonprofit entities in housing development. Minority communities across the country have experienced the adverse displacement effects of urban renewal. Asian communities such as San Francisco Chinatown, with high population densities, are particularly ill-suited for massive redevelopment areas. Likewise, public housing authorities often find our land costs prohibitive in seeking individual sites for development.

Thus, we need our own development entities—our own housing development corporations, housing sponsors, and technical assistance agencies.

We believe that HUD should make every effort to foster the capacity building of Asian communities in housing. Community-based sponsors for section 8 and section 202 housing are paramount to any capacity building effort. HUD guidelines for sponsor selection currently emphasize large bank accounts or major real estate holdings, rather than an organization's reputation within its community.

Moreover, legislation and block grant programs such as community development should mandate that community-based developers have a recognized role and share of funding in annual community development and housing assistance plans.

Significantly, the 1977 regulations on the community development program allow nonprofit organizations to participate as implementing agencies for all eligible activities under the block grant. We applaud this recognition of a "potential" community role in local housing programs.

2) Community Development

The need for capacity building in Asian communities is painfully illustrated by San Francisco Chinatown's experience with the community development block grant. Out of over $400 million which San Francisco has received in the first 5 years of the block grant, Chinatown has received less than $4 million, less than 3 percent. The very fact that the major city programs available for new housing and rehabilitation (redevelopment and concentrated code enforcement) in San Francisco are not feasible in Chinatown, has penalized us when it comes to the "big money."

The community development program is allocated to cities according to formulas, taking into account: population, percentage of low-income residents, and the condition of housing stock. However, distribution of community development funds within cities does not utilize such criteria when it comes time to divide the pie.

Thus, every year, Chinatown's population, income, and housing statistics contribute substantially in justifying how much San Francisco will receive. Yet San Francisco is not mandated to distribute its allocation according to these same criteria. (Cities must only show that a satisfactory percentage of community development funds benefit low- and moderate-income residents).

3) Section 8 Program

The section 8 program is the major housing construction program available for low-income tenants. The section 8 new construction program must be expanded. During the last round of proposals for San Francisco, we were instrumental in the HUD approval of a 220 units section 8 project in the waterfront area of the city. However, this was in competition with 18 other well-deserved projects in San Francisco. The limited commitment fosters adverse competitiveness between neighborhoods and minority groups.

4) HUD Standards

HUD currently uses minimum property standards which require separate bathrooms and kitchens in any building Section 8 subsidies. HUD must be cognizant that minimum property standards may need to be waived in selective cases involving residential hotels. Right now, there is no program at any level of government which can feasibly address the rehabilitation of our residential hotels which have occupancy. To do so under current section 8 standards would generally reduce the number of our housing units by more than half, an intenable prospect. In some cases, congregate housing with communal kitchens can be developed if HUD standards are waived.

5) Model Hotel Programs

HUD should establish model programs for residential hotel rehabilitation for communities such as San Francisco Chinatown, utilizing flexible standards. Many Asian communities across the country have substantial populations residing in hotels. The elderly in particular have no other housing alternative, and families who emigrate here often reside in hotels as their first shelter in the United States.

The hotel makeup of our housing stock is by no means an accident or a cultural preference. It is a direct historical result of discriminatory legislation which divided families and necessitated a housing stock serving single individuals.

6) Seismic Standards

The Federal Government must likewise address the problem of earthquake safety and seismic reinforcement in housing rehabilitation programs for Chinatown. San Francisco is known as the most earthquake dangerous city in the country. Seismologists have called Chinatown, with our predominately brick-masonry buildings, the most earthquake danagerous neighborhood in San Francisco.

Federal seismic safety standards for new housing contruction are needed. However, these standards also make housing rehabilitation very difficult in Chinatown. Rehabilitation costs in Chinatown are already very expensive because of the severe deficiencies of our buildings. When compounded by seismic reinforcement costs, which can exceed the costs of internal renovation, section 8 financed rehabilitation may be unfeasible.

HUD and other Federal agencies, such as the Environmental Protection Agency, should pursue special grant programs for seismic work that could be provided in tandem with housing programs.

7) Section 202 Program

The section 202 program is the major new construction program for elderly housing. Chinatown currently has two projects which have received a commitment of funds from the section 202 housing program. One of these projects is sponsored by the On Lok Development Corporation, and I would like to share two concerns On Lok has experienced with section 202.

Currently, section 202 has proven to be inadequately financed for the program to have maximum viability for Chinatown. Mortgage limits for section 202 should be increased in order to meet ever-rising construction and land costs. Section 202 should permit a 50-year mortgage term rather than the present 40-year term. The earlier section 202 and public housing programs both had 50-year terms and provided lower debt service.

8) Impaction

HUD is concerned that new subsidized housing projects (section 8, section 202, public housing) not "impact" already low-income areas. However, the Federal Government must realize that future development of housing outside of Chinatown must be coordinated with needed social and health services, as well as commercial and transportation support systems.

Moving outside of familiar Chinatown creates a tremendous social and cultural impact on our residents, particularly the elderly. It is crucial that supportive programs be coordinated with new housing, utilizing the full range of government resources. Where such programming is not fully provided, Federal agencies such as the Department of Transportation should work with HUD in developing shuttle van services for housing project residents to "commute" to and from the core of the Asian community. Only in this way can the isolation of our elderly be minimized.

In summary, what San Francisco Chinatown and other Asian communities need is a full range of solutions to our housing problems: funding commitments, flexible standards, new programs, coordination with supportive services, and capacity building.

No longer can we be satisfied with the "opportunity" to apply for programs that do not recognize our unique needs. These are just not technical problems that we have in adapting to government programs. They are basic civil rights issues of government not adapting to us.

Housing Issues in the International District, Seattle, Washington

by Robert N. Santos*

Development of the International District

The history of the International District in Seattle is one of community values competing against larger political and financial institutions. Residents have long striven to create a unique mix of commercial, residential, cultural, social, and recreational activities aimed at the needs of this Asian multilingual, multicultural community. However, outside economic and governmental interests have traditionally ignored the residents' wishes and sought to exploit the district's valuable location for their own ends.

The International District has traditionally been the focal point for the Asian population of the entire Pacific Northwest since the 19th century. First, it was the Chinese immigrants, then the Japanese, and finally the Filipinos who came to live in the district. Today the district is home for Asians, blacks, whites, and Native Americans, including both long term residents and recent immigrants. Because of the variety of ethnic groups living and working in the same neighborhood, the district is unique among Asian communities throughout the country.

History—One of Struggle

However, the history of the district reveals a long struggle to maintain its character against outside business interests, racism, and political intervention. Some highlights:

1885–1886: Anti-Chinese riots forced merchants to flee Chinatown in Seattle.

1889: Washington State passed the alien land law.

1889: The great Seattle fire destroyed the Chinese neighborhood.

1920: The extension of 2d Avenue cut through the middle of the original Chinatown in Seattle. This action was the final blow which forced the movement of Chinatown to the district.

1939–1945: The internment of Japanese American citizens, as a result, land and business ownership by residents of the district was substantially and permanently reduced.

1960s: Interstate 5 freeway was built, eliminating numerous apartments and business in the eastern half of the district. Manufacturing businesses, controlled by outside interests, moved into the district after the construction, reducing housing stock and local economic control.

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1971–1973: King County Domed Stadium built adjacent to the district despite the protests of district residents and activists. The stadium contributes to parking and congestion problems and hasn't helped minority-owned businesses.

1974–1978: The Port of Seattle developed plans to make Union Station an intermodal transportation terminal, tourist hotel, and retail complex. Because this proposal would have created more congestion, reduced local economic control, and escalated rents and property values, the district community successfully stopped the plans in December 1978.

1977: U.S. Department of Housing and Urban Development (HUD) orders "minorities" out of HUD-subsidized housing in the district to reduce minority occupancy. After fervent community opposition to this attempt to "disperse" the non-English speaking residents, HUD rescinded this order.

1978: Private speculators begin bidding for existing apartment buildings, hoping to develop tourist hotels, retail outlets, and additional parking lots. Thus far, the International District has successfully rebuffed this takeover at the initiative of INTER*IM.

1979: Immigration and Naturalization Service has plans to move from the district to be replaced by a county jail facility. We weren't consulted about this plan and numerous district groups are trying to stop its implementation.

1979: Because of recognition of the People's Republic of China, large amounts of Taiwanese jade and jewelry are being imported to be turned into U.S. dollars, as well as for direct investment in local property. This constitutes a significant danger to the concept of community ownership and control in Asian communities in the U.S. Thus, the International District community has historically fought back attempts by outsiders to take control of the area.

District's Location: An Untapped Potential

Because of its location, the district is an area of virtually unlimited economic potential. However, this location hasn't assisted community economic development because of ill-planned, mixed-use patterns, traffic congestion, and misuse of resources. The district covers a 50-block area situated southeast of the central business district, west of the Interstate 5 freeway, directly north of the industral complex, and east of the stadium. It is unique in that it is one of the few remaining neighborhoods in Seattle which boasts of a residential/commercial mix.

Present Housing Situation in the International District

The residential role of the district has drastically decreased over the years. Between 1960 and 1970, the district lost 3,100 units, over 60 percent of its housing stock. The major factors which have resulted in private hotel closures are:

1) Construction of the I-5 freeway through the district effectively removing hundreds of housing units and small Asian businesses.

2) A rash of fires in the downtown central business district which led to the passage of stringent fire and building code standards aimed at multifamily units. The enforcement of the codes resulted in a reluctance by the owners to invest large sums of money into the hotels to bring them up to codes (adding sprinklers, firedoors, etc.)

3) Most of the buildings were built 50 or more years ago and have reached the point of requiring major rehabilitation to correct eroded/rusted plumbing, inadequate wiring, wornout elevators and heating systems, etc.

Between 1969 and 1972, 24 hotels having 1,918 low-income units closed. Then from 1973 to 1979 nine hotels were demolished to pave the way for sprawling parking lots and restaurants. The remaining housing stock includes 20 open hotels with 1,547 single-room occupancy facilities of 300 to 400 square feet and 16 similar hotels which are vacant and ready for rehabilitation. INTER*IM has lead in community pressure upon owners and local government to stop any more evictions of low-income residents and to prevent conversion of unoccupied units into non-housing uses.

INTER*IM feels that residents deserve decent, affordable housing. Currently, the unmet housing need stands at 598 units. The process to renovate low-income housing is a long and difficult one. Our efforts to get 196 units of housing took the community over 7 years. It's become impossible to renovate low-income housing as a private investment and, thus, it's no surprise that between 1970–79, only one small apartment was financed by private owners.

But the district can't just advocate for the present Asian and non-Asian residents. Historically, the district has served the broader Asian community, and presently there are 1,800 new immigrants coming into Seattle per year and many come to the district to live.

In addition, there is an upsurge in young, middle-class Asian professionals desiring to live in the district. There is an unmet need to provide this large sector of people with market-rate housing.

Redevelopment—Progress For Whom?

The cycle of deterioration is a common phenomenon in urban areas, and the International District is no different. Most buildings were built before 1920 and reinvestment in these old buildings just hasn't materialized. Nonsubsidized investment capital hasn't flowed into the maintenance of low-income housing nor has it gone into the construction of new housing. Instead it concentrates in investment that can be more profitably approached on the massive scale, such as construction of new regional shopping centers, industrial parks, or suburban housing developments. Housing in the inner city typically deteriorates and soon gets "bought out" by big investors for "higher, more profitable uses."

In the meantime, downtown property values are "skyrocketing," adding pressures not to construct low-rent housing and brings costs out of financial reach or private owners.

The district is in the center of this redevelopment. From all four sides, the neighborhood is "boxed in" by high-intensity, urban redevelopment projects and plans, i.e., the I-5 freeway, stadium, proposed plans for Union Station, the economic boom of skyscrapers in the central business district, and an expanding industrial area to the south. We are truly at a crucial point in the development of the district: Will the district survive as a residential and commercial area and be developed with community control?

INTER*IM—Community Advocacy and Social Service

The International District's revitalization as a small-scale commercial and residential neighborhood has, in large part, been led by the International District Improvement Association (INTER*IM). Formed in 1969, its primary aim was to attack the physical decay, deterioration of housing, and lack of human services. INTER*IM has proved that a balance between community activism and responsible administration of social programs can happen.

For the last 10 years, INTER*IM has played a vanguard role in community action springing out of the protest against the domed stadium construction. In those early years, energy and commitment of hundreds of persons were directed at the city and King County government to stave off construction of the $68 million development.

This activism didn't stop the stadium from being built, but it did result in some "trade-offs." The I.D. Community Health Center, Denise Louie Child Care Center, Chinese nutrition program for the elderly, and the emergency meal voucher program were established.

This activism surrounding the stadium also led to the development of important institutions designed to protect the district from further encroachment by large outside forces. The International Special Review District Board was empowered to protect the district by serving as a reviewer of building permits, zoning changes, use permits, and city-funded physical improvements in the district. The Seattle Chinatown-International District Preservation and Development Authority (PDA) was created as a community-controlled developer and property owner. As a municipal corporation, the PDA is able to sell tax-free bonds and to borrow and lend funds at very low-interest rates. Both the PDA and the International Special Review District Board were formed as a direct response to INTER*IM's organized activities.

INTER*IM's Role in Housing

There are numerous problems when we speak of housing development which will be further elaborated on. However, INTER*IM, in conjunction with the tenant-advocate organization, the I.D. Housing Alliance, has accomplished some significant things. Some accomplishments and activities include:

1) Obtained 199 HUD housing units in 1975 for low-income residents. INTER*IM and the I.D. Housing Alliance organized countless meetings with governmental bodies, worked with the developers to speed the HUD decisionmaking processes, assisted in the zoning waivers for parking, height, and bulk restrictions, and developed the waiting list for tenant occupancy. This overall effort has spanned over 7 years.

Key to our success was mobilizing the residents to voice their need for housing, over and over again.

2) Another important victory was won when 200 determined tenants of the HUD-subsidized Downtowner Apartments stopped a proposed conversion of their hotel into a high-class tourist hotel. After many meetings, petition drives, tenants secured a promise from owners and local HUD officials that the conversion plan would be dropped.

3) INTER*IM stopped the proposed closure of a major (69-unit) hotel, the Milwaukee Hotel. This project is unique in that we are now managing it in cooperation with the tenants and volunteers. Back in September 1977, the ultimate crisis occurred when the fire department ordered the hotel closed within 7 days. Through a combined effort of over 100 volunteers and residents, the most critical violations were remedied. On the following Monday, Judge Yanick praised this "tremendous community effort" and gave an extension of time on the remaining code violations.

In the following months, INTER*IM and the I.D. Housing Alliance continued to organize the tenants to pressure the owners to finish the repairs. Meanwhile, we continued to strategize on how to secure a long term (40–60 year) lease or purchase of the building so that public funds could be secured to rehabilitate the structure.

After a series of meetings, no significant progress was made with owners. Meanwhile, hundreds of volunteers continued a "human firewatch" 24-hours a day for a year and a half until November 1978, when a new fire alarm system was installed.

Today, the hotel stands open, almost in compliance with codes, with an active tenant group and managed by the community. In total, we raised over $35,000 in donations and volunteer labor. We are currently continuing our efforts to negotiate a sale or lease of the Milwaukee and are working with the city to find other means of financing the rehabilitation of this hotel.

Critique of Federal Housing Programs

HUD's Policy—Deconcentration

HUD's policy of deconcentrating low-income housing has had an adverse effect on our housing efforts in the International District. It manifests in two areas—desegregation in current Federal housing projects and in financing.

The first problem arose in 1977 when HUD, through a compliance agreement, forced the Seattle Housing Authority (SHA) to restrict minority occupancy to 35 percent at the International Terrace, an elderly housing project. This meant that any new vacancies would be filled by "Caucasians only" until the current level of 78 percent minorities was reduced to 35 percent. This process would take years to accomplish. Meanwhile, no Asian minority residents on waiting lists would be accepted into the housing project.

INTER*IM met with HUD regional officials who wouldn't budge from their position. Subsequently, INTER*IM traveled to Washington, D.C., to discuss the matter with Chester McGuire, HUD Assistant Secretary.

INTER*IM explained the ethnic composition of the district and of the attempts by local, State, and Federal Governments to preserve the neighborhood as the Asian cultural center of the Pacific Northwest region. INTER*IM also reminded HUD of their own investment in housing and community development block grants to the International District. This compliance agreement flies in the face of these goals.

We further explained that it is insensitive to apply a law regardless of its practical implications. The district's residents are non-English speaking who need a cultural environment they are accustomed to as well as the multilingual social services which they receive in the district. To disperse this ethnic community to all parts of the city would be disastrous, and no less impossible.

This Federal order to desegregate has a reverse effect in the areas of housing. People have the right to live in their own neighborhoods when decent housing is available to them.

The Secretary of HUD agreed to waive the compliance agreement for the International District and said, "When working to protect and preserve ethnic neighborhoods like the District, the Federal Government must be more flexible."

In addition, INTER*IM has run up against HUD's deconcentration policy when attempting to attain more section 8 housing for the district. For years, HUD "blacklisted" the district and only as recently as a month ago, through community pressure, has HUD agreed to allow additional section 8 units in our neighborhood.

The other problem area relates to housing financing. The key to developing low-income housing is financing programs which in one form or another subsidize low-income persons' rents. HUD, the Federal Housing Administration (in HUD), and Farmers Home Administration have numerous programs to achieve such a subsidy. INTER*IM is concerned about Federal regulations and policies that restrict the flow of dollars to low-income communities and create additional costs which reduce the quantity of housing units per Federal dollar invested. Our specific concerns are:

1) The section 202 elderly program has built-in cost requirements that make it difficult for nonprofit community groups in low-income areas to meet. Secondly, these funds haven't been prioritized for low-income, minority communities. The district hasn't gotten any section 202 funds.

2) HUD regulations currently prohibit use of section 312 low-interest loans with section 8 program. In many minority urban areas, low-cost financing is necessary to stay within the "fair market rents" set by the section 8 program. Low-interest loans become crucial to any housing rehabilitation to keep the project feasible.

3) The section 312 low-interest loan program allocated more money to single-family, moderate-income housing rather than multifamily housing in low-income areas where people want to stay. In Seattle, for example, the city acknowledges that 90 percent of the low-income families live in rental units and can't afford the mortgage payments of subsidized, single-family homes. It makes no sense to have 60 percent of the section 312 program allocations which help only 10 percent of the low-income persons.

4) Federal programs should focus on multifamily housing since unit costs and operating costs are significantly less. We could get more housing in our communities.

5) Federal housing design and construction requirements should be relaxed in neighborhoods with a number of rehabilitable multiunit buildings. Modest rehabs can provide more units per dollar and house more persons per investment. In many cases, buildings can be brought up to city codes and be quite comfortable and safe without adding additional requirements which HUD now does.

6) Alternative housing types should also be encouraged by HUD. Single-room occupancy buildings with shared facilities offer a unique opportunity to provide many of our elderly members with modest livable living quarters. We can't afford nor do we all desire "suburban" standarized housing.

7) The Federal Government should investigate means of developing low-income housing with the least amount of red tape and delays which create cost overruns. This also discourages property owners from taking advantage of Federal programs. Future directions could focus around efforts such as Jubilee Housing Corporation in Washington, D.C., which is using equity syndication as a means of paying for low-interest mortgages. This creates rental units at 40 to 50 percent below the market rate without excessive delays and interventions by the government.

An example of how HUD requirements affect us is the Milwaukee Hotel mentioned earlier. It is presently operated and managed by INTER*IM and the I.D. Housing Alliance. Plans are presently being formulated to rehabilitate this hotel, while still trying to achieve ownership. Projected costs of a minor rehabilitation for 106 single-room occupancy units accomodating a maximum of 180 persons are $1.8 million. If, however, we were to do a HUD section 8-sponsored rehabilitation on the same building to conform with HUD's housing regulations and standards, we would have only 60 units accomodating a maximum of 120 persons at a total project cost of $2.8 million. Our modest rehabilitation proposal will house more persons at half of the costs per person as the HUD section 8 project.

In sum, HUD should relax their Federal regulations as well as free up more funds to flow into low-income communities in order that more low-income housing could be built per Federal dollar.

Housing Issues: Strategies and Remedies

by Jay H. Kim, Esq.*

I. Introduction

Asian Americans, particularly the newly arrived immigrants and those who reside in ethnically segregated areas such as Chinatowns and Koreatowns, face many unresolved housing problems. These include exhorbitant rents for substandard housing, overcrowding, inadequate plumbing and heating, difficulty in securing mortgage loans, and rundown neighborhoods with few open or green spaces.

The objective of this paper is to present a general overview of the housing problems among Korean Americans, one of the newest groups of Asian Americans. What will be said about them, however, is likely to apply also to other new Asian immigrants: Vietnamese, Thais, and Filipinos. First, I shall describe the nature of housing problems among Koreans in the Chicago area, but no attempt will be made to explore them in detail. From my own observations, it appears that these comprise landlord/tenant disputes, housing for senior citizens and for families with young children, and mortgage loans for home buying. Unfortunately, there are no current data on housing conditions and needs among Koreans in the Chicago area, and there is a paucity of studies on these topics. It is, therefore, imperative that we try to specify the issue pertaining to housing. This paper reflects not only my personal insights, but also my longtime experience in working for the community. Secondly, I shall examine possible strategies to remedy housing conditions and to meet some of the housing needs of Koreans in Chicago. This discussion also incorporates my own viewpoint.

II. Nature of the Problems

A 1975 study of Asian American communities in the Chicago area was conducted by B.L. Kim of the University of Illinois. The sample was drawn from all names reported on 1973 alien cards in the Illinois files of the Immigration and Naturalization Service. Interviews were completed with 228 Koreans, 199 Filipinos, 150 Japanese, and 149 Chinese. Despite the fact that the study dealt partially with the housing problems, the data obtained are undoubtedly outdated owing to the drastic increase in numbers of new immigrants from Korea into the metropolitan Chicago area. Moreover, the neighborhoods as well as area of concentration in population have changed among the new

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Korean immigrants, indicating some interesting urban settlement problems generally encountered in minority communities.

The influx and concentration of new Korean immigrants have occurred in the area called Albany Park in the north side of Chicago, bounded approximately by Foster Avenue to the north, Montrose Avenue to the south, Pulaski to the west, and California to the east (map of Albany Park area in Commission files). High Korean population concentration and business activities within such an area give a strong indication of an emerging Koreantown formation and development. Unfortunately, this area is still amorphous because of the rapid population growth and the short history of the Korean immigrants in the city.

It is believed that Koreans comprise 15 to 20 percent of the population of the Albany Park area alone. Along Lawrence Avenue, which is an artery shopping strip in Albany Park, there are presently over 60 Korean businesses. Neighborhoods vary considerably in density of population, average family income, average years of education, age of buildings, proportion of housing units occupied by owners, and degree of housing deterioration. Because of a concentration of older, large multiunit buildings with absentee landlords, some sections are currently threatened by deterioration. There are also sections with an accumulation of social problems related to low income, lower education, high density of population, and a high proportion of senior citizens.

Absentee ownership and management by outside firms of old multiple-unit housing have created bad living conditions for tenants and have discouraged maintenance by tenants. While the revitalization of the business district is progressing satisfactorily, the area, in spite of its many obsolete structures, has not witnessed any redevelopment activities. Since the neighborhood is undesirable, Koreans who can financially afford to do so tend to move out of the area or at least attempt to move out to the suburbs.

The composition of Korean residents in this area is somewhat homogeneous, with a predominance of apartment dwellers, young families, and new immigrants. As indicated by Kim's sample (1975), 80 percent of the respondents lived in rented apartments. Although the sample does not particularly represent the Albany Park area alone, it could well be presumed that the majority of Koreans in the so-called Albany Park "Koreantown" area reside in rental units. Moreover, about 70 percent of the households had children under 9 (Kim, 1975), thus implying that most households in the area consist of young parents. The majority of the Korean residents in the area are newly arrived immigrants of 3 to 6 years residence. Inevitably, their English-speaking ability is quite limited. Most of them move to this area

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because of the convenient Korean stores along the shopping strip of Lawrence Avenue and its vicinity. They can thus avoid the language barrier. In most cases, both husbands and wives are working; those with younger children require babysitters, and in this neighborhood they can easily find older Korean women to take care of their children. The Albany Park Community Center houses a day care center and, even though 40 percent of the children at the center are Korean, the facilities are far from adequate to accommodate the increasing number of applications from working Korean parents.

The area is viewed as one of the most populated segments of Chicago, and overcrowding is one of its most significant problems today. According to Kim (1975), 53 percent of the Koreans had 3 to 4 persons and 24 percent had 5 to 6 persons in their households. Whatever socioeconomic factors induce so many of the new Korean immigrant families to move into such a congested part of the city, the inevitable consequence is a further decline in the quality and supply of housing. Faced with such shortages of dwellings, very few Koreans in this area are successful in obtaining decent accommodations. Families with younger children and elderly parents are often shunned by the landlords as undesirable tenants. Outpriced out of decent apartments, they finally end up in deteriorated, long-neglected poor apartment buildings often owned by the absentee landlords.

The problem of dealing with unscrupulous landlords is worsened by the lack of English proficiency. In many instances, the tenants are victimized without proper remedy or legal aid. While there are very few reported cases of housing discrimination against the Korean Americans in Chicago, this is not necessarily indicative of the lack of discriminatory practices in housing. Koreans like other Asian and Pacific Islanders tend not to complain vociferously about any violation of their civil rights no matter how blatant. When they are faced with any prejudiced landlords or sellers of real property, they go somewhere else. Such traits might be attributed to cultural reasons, lack of language proficiency, and unfamiliarity with the American way of life.

Some distressed Koreans in the Albany Park area find themselves forced to seek housing in the suburbs. Some hasten prematurely to purchase houses after saving just enough money for the downpayment. Even if most of the prospective home buyers can afford to make the downpayment for the purchase and monthly installments, it is not uncommon that their mortgage loans are often denied by the various lending institutions because of the lack of credit owing to their short length of stay in the U.S. Whether discriminatory or not, the effect is that their home buying is denied simply because they are new immigrants.

When the younger members of the family move toward the outskirts of the city or to the suburbs for better housing, the older parents are hesitant to live in suburban areas with their children for various reasons. Their geographic mobility will be greatly restricted as they have to rely on their children for transportation. They find it more difficult to be assimiliated to the suburban life due to old age and language barriers. The old Korean parents prefer to be left behind in the community area for companionship, congeniality among the same age groups, and better public transportation. They, of course, cannot afford to purchase their own houses due to the lack of income and earning power. With loss of children to take care of them, they would search for a place in the community. So far, there is only one urban public housing facility for the senior citizens in the Korean community area. The Kenmore Senior Citizens Center, located at 5040 N. Kenmore, Chicago, now houses approximately 50 Korean elderly persons, which is equivalent to 20 percent of the total tenants in the center. They seem to find more freedom and sense of independence from their offspring and a sense of dignity. At the same time, they suffer from lack of communication ability, for there is no bilingual person working for them, no ethnic foods, and no entertainment facilities, which are causes of complaints.

III. Remedies

The problems that have been delineated are not without solutions, but these will require the concerted efforts of a number of people and organizations. We propose the formation of a Community Development Committee (CDC) composed of local citizens and civic and business leaders. The CDC will have two major responsibilities: 1) plan, design, and possibly carry out a survey of housing conditions and housing needs in the Albany Park area, and 2) on the basis of the results of this survey, develop a course of action that will remedy existing conditions. These activities of the CDC will be described in more detail.

A. Survey of housing conditions and needs

The first priority should be given to a survey of current housing conditions and needs in the area. Such a survey will provide information that is not available at present and that is essential for the development of action strategies. The survey should start with a detailed inventory and description of the physical conditions of housing occupied by Korean families, its market value, the patterns of ownership and management, and the amounts and sources of financing. This could be obtained from secondary sources (i.e. property records). The other phase of the survey will be based on face-to-face or telephone interviews of a sample of residents. It should include questions on demographic and socioeconomic characteristics of households, on social networks and utilization of local facilities, and on attitudes toward housing and neighborhood (satisfaction, dissatisfaction, aspirations, etc.). The analysis of the survey data should pinpoint the residential structures that are in bad state of disrepair and uncover the most urgent needs of the residents.

B. Action strategies

There are a number of action strategies that the CDC could adopt to remedy the situation revealed by the survey. These plans of action should have as their goals: 1) the improvement and expansion of the supply of housing to meet current and future demand, and 2) the provision of services to increase residential satisfaction.

1) Improvement and expansion of housing supply

Deteriorated structures may either be rehabilitated or eliminated to make way for better housing. Rehabilitation will require the cooperation of owners, and this may be difficult with absentee owners of larger apartment units. Ideally, this restoration should be undertaken by the owners themselves, with low-interest loans procured as an incentive. If the repairs are not extensive, rent reductions or rebates could stimulate the renters to do the work. This may necessitate, nevertheless, the availability of technical services (plumbing, carpentry, etc.) and supplies at low cost.

As part of a federally financed program, deteriorated structures could be condemned, demolished, and removed. The land thus cleared would be available for new construction. While redevelopment is a slow process which may take many years, it has a number of advantages. Not only is the housing stock renewed, but it also can be expanded through the erection of larger structures. These buildings should be planned so as to meet the needs of new immigrants and of other residents who find it difficult to locate suitable shelter. Construction will have to be financed by low-interest loans to facilitate local participation. Because of the lack of public low-income housing projects and the limited financial resources of Korean households, there is extensive overcrowding. The majority of new immigrants arrive in this country without any arrangement for housing. They usually stay with relatives and friends, consequently adding to the high residential density. Among the other groups with special housing needs, particular attention must be given to Korean senior citizens. Many are too poor to find their own accommodations or live in a nursing home. They would welcome some form of low-cost group quarters close to transportation, stores, churches, and other community institutions. Recreational facilities, bilingual personnel, and ethnic foods should also be available for them.

2) Services to increase the residential satisfactions

There are other housing-related problems that have to be resolved, in addition to the improvement and expansion of the housing supply. For example, many Korean renters have difficulties settling disputes with their managers and landlords, partly because they are not familiar with litigation procedures or have little knowledge of English. On the other hand, other Koreans, who are prospective home buyers, may be acquainted with real estate negotiations. In addition, those who are new immigrants usually have a hard time establishing their financial credit. To help these people, it would be essential to have an area-based organization with bilingual personnel. More specifically, it could be a "clearinghouse" for information on legal assistance in litigations, low-interest real estate and other loans, and various governmental programs to help the poor and the aged. One important function for the CDC would be to find the necessary funds to set up such an operation and ensure its smooth operation.

The Impact of Federal Policies and Programs Upon the Housing Problems of Asian Americans: The Kansas City Experience

by Jerome D. Riffel and John J. Huffman*

I. Background of Resettlement of Asians in the United States

The vast majority of Asian Americans residing in Kansas City immigrated to the metropolitan area since 1975. Their housing problems—similar to those of low-income American minorities—reflect a mirror-image of the general failure of the Federal housing policy to achieve and maintain a safe, decent, and sanitary environment for low-income families.

As of January 1, 1979, the United States has resettled some 200,000 refugees.[1] Other nations have also extended concern and accepted Indochinese refugees. Australia has agreed to resettle 18,000 refugees. Canada has 2,000 refugees and has agreed to accept 50 boat case families per month. France has continued its program since May 1975 of resettling 1,000 refugees each month.[2]

Since the defeat of the Republic of Vietnam and the Khmer Republic in April 1975 and the collapse of the Kingdom of Laos in December 1975, over 900,000 people have fled their native countries in search of refuge in other countries.[3] The flow of refugees is steadily increasing at a rate as high as 30,000 per month and there is little likelihood that it will diminish in the near future.[4]

The United States has contributed over half ($31,000,000) of the United Nations High Commission for Refugees (UNHCR) funding for Indochinese refugees.[5] It is UNHCR which has the overall responsibility for coordinating the international relief effort for the Indochinese refugees as well as the additional responsibility for their care, maintenance, and protection while they are in asylum. The Intergovernmental Committee for European Migration (ICEM) is responsible for the outprocessing, movement, and transportation of the refugees to third countries.

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[1] *Indochinese Refugees: An Update*, Committee on the Judiciary, House of Representatives (November 1978), p. 1.

[2] *op. cit.*, pp. 1–2.

[3] *Time*, May 14, 1979, p. 15.

[4] *op. cit.*, p. 14.

[5] *Indochinese Refugees: An Update*, p. 5.

In the United States, various private voluntary agencies have carried the major responsibilities for the resettlement effort of the Indochinese refugees. The overall responsibility for coordinating sponsorship arrangements lies with the American Council for Voluntary Agencies. Operational activities are divided on a geographic basis. Church World Service is responsible for Malaysia, the International Rescue Committee is responsible for Thailand, the American Council for Nationalities Service for Hong Kong and Indonesia, and the United States Catholic Conference for Singapore, the Philippines, and Japan.

The United States has admitted the vast majority of Indochinese under the parole power of the Attorney General, which is set forth in section 212(d) (5) of the Immigration and Nationality Act. Without the use of this parole power, the United States would be limited to a total worldwide refugee allocation of 17,000 persons per year. Additionally, some Indochinese refugees have entered as "conditional entrants" or as immigrants.

The initial phase of the special parole program announced during the spring of 1975 placed emphasis upon relatives of U.S. citizens, permanent resident aliens, 2,000 orphans, Vietnamese whose association with either the United States Government or the Government of Vietnam would place them at risk under a new government (high risk category), their dependents, and those Cambodians who had been airlifted to Thailand. More than 140,000 persons entered the United States under this special parole program. Six thousand six hundred and thirty-two of this group resettled in third countries and 2,090 repatriated to Vietnam. In August 1975 the Attorney General's humanitarian parole program expanded the categories to include Laotians. The humanitarian parole program allowed the resettlement of 3,466 Laotians and 528 Vietnamese and Cambodians to the United States.[6]

The growing number of boat cases reaching temporary camps in Malaysia and Thailand caused the United States to expand its parole program in May 1976 to allow the resettlement of 11,000 persons including 500 boat cases.[7] The continuing flow of refugees by boat and overland from Laos caused the Attorney General in August 1977 to expand the parole program to include refugees whose parole would benefit the United States or refugees with compelling humanitarian reasons for parole. This allowed for the resettlement of 7,000 boat case people and 8,000 overland refugees primarily from Laos.[8] In January

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[6] *op. cit.*, pp. 38–39.

[7] *op. cit.*, p. 39.

[8] *op. cit.*, p. 40.

1978 the Attorney General paroled another 7,000 boat case people.[9] Six months later, a new parole was authorized for 12,500 boat case refugees and 12,500 overland refugees. The current parole program, announced in March 1979, permits the resettlement of 35,000 Indochinese refugees by October 1979.[10]

Congressional action in authorizing public funds to assist in the resettlement has also been swift. On May 23, 1975, Public Law 94–23 (the Indochina Migration and Refugee Assistance Act) authorized $455,000,000 to be administered by the Department of State and the Department of Health, Education, and Welfare. Public Law 95–145 provided $6,300,000 to be administered by the Department of State to cover the resettlement expenses of the August 1977 parole, and $114,000,000 for assistance to Indochinese refugees in the United States during fiscal year 1978 and $10,000,000 for special education and training activities, both programs to be administered by HEW. Furthermore, the Indochina Refugee Children Assistance Act (Public Law 94–405, extended by Public Law 95–561) authorized a total of $28,750,000 to be administered by HEW for the purpose of school age and adult education programs for Indochinese refugees. The Department of State also administered $109,800,000 from the Agency for International Development appropriations and $12,950,000 from the Emergency Migration and Refugee Assistance Fund. The Indochinese refugee program expenditures, as of January 1, 1979, represent a total of $718,800,000 or an average of less than $3,600 per refugee. To this total figure may be added the United States contribution of $31,000,000 to UNHCR previously mentioned.

II. The Resettlement of Asians in Kansas City

The number of Indochinese refugees resettled to Missouri grew from the initial 1,208 people at the end of summer 1975 to the current figure of 3,260 people. There are an estimated 800 Indochinese refugees living within the metropolitan Kansas City area plus an additional 400 refugees concentrated in three neighboring federally assisted public housing developments. The public housing developments are Guinotte Manor with 75 refugee families, Riverview with 20 refugee families, and Chouteau with five refugee families. Ethnically, the refugee population is approximately 90 percent Vietnamese and 10 percent Khmer, Lao, and M'uong.[11]

The Indochinese refugee resettlement program in Kansas City took two major approaches—scattered and concentrated. The first group of refugees to arrive were sponsored by volunteer organizations, church groups, and private citizens. Each refugee family had an American family to assist them in their acculturation process. Generally speaking, the first group of refugees were well-educated, middle-to-upper class with various professional skills. Many refugees in this first group had previous exposure to Western culture and possessed varying degrees of fluency with the English language. Their sponsors assisted them in locating housing in a dispersed pattern throughout the metropolitan area. Because of the close attention given them by their sponsors, this group of Indochinese began their acculturation process with a minimum of difficulties.

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[9] *Facts on File*, Feb. 16, 1979, p. 109.

[10] *Time*, May 14, 1979, p. 14.

[11] Population data furnished by the Vietnamese Center, Kansas City, Mo. All three developments are assisted under the United States Housing Act of 1937, as amended, and are located in Kansas City's inner city.

It was an entirely different story with the second major group of Indochinese refugees. The Federal Government was attempting to shutdown the four temporary resettlement camps operating within the continental United States but was having difficulty in locating sponsors for the remaining refugees.[12] These refugees generally lacked the education and skills of the first group. Sponsors were unwilling to assume the responsibility for resettling refugees without marketable job skills or good educations.

It was at this point that a resettlement plan was submitted by the Don Bosco Community Center to sponsor the concentrated resettlement of 75 remaining refugee families within the Columbus Park neighborhood.[13] The Columbus Park area in northeastern Kansas City has traditionally been an area where many ethnic and refugee groups first settled. The Vietnamese were preceded by Italians, blacks, Cubans, Hungarians, and Mexicans. In 1975 Columbus Park was a predominantly Italian and black community.

The resettlement plan submitted by Don Bosco Community Center called for a departure from the individual family sponsor concept in favor of a central resettlement office to serve the needs of the 75 Indochinese refugee families. The Federal Government agreed to fund the Don Bosco Community Center plan.

Initially, 160 Indochinese refugees left the relocation camp at Fort Chaffee, Arkansas, to relocate to public housing located in Columbus Park. As incredible as it may sound, the Indochinese refugees were told at the relocation camp that they could earn their living by fishing in the adjacent Missouri River. This had a definite appeal to a group of people who had made their living fishing and since few of this group had marketable job skills.[14]

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[12] The last reception center, Fort Chaffee, Arkansas, was closed Dec. 20, 1975.

[13] See Appendix One. Don Bosco Center, started in 1940, currently receives its financing from private donations, Heart of America, United Way, the National Alliance of Business, Community Development Act funds, Comprehensive Employment and Training Act funds, and Social Security Administration.

[14] See Appendix I for what type of refugees were expected.

Shortly after the Indochinese refugees began arriving in Kansas City, the Don Bosco Resettlement Office proposed to the housing authority that a majority of the refugees be placed in a neighborhood public housing development, Guinotte Manor. The Kansas City Housing Authority, which was plagued by a large number of vacant units and low-rent receipts, eagerly agreed. The arriving refugees were placed in vacant units at Guinotte Manor on a priority basis, bypassing black families that had been on the waiting list for months. This special treatment caused a great deal of resentment on the part of the black community toward this new alien group entering a predominantly black public housing development. Resentment grew when the refugees began receiving the benefits from special Federal programs mentioned earlier.

Individual efforts by some blacks to be friendly to the new refugees were hampered by the communication problems and the hostility of the refugees. The anti-black attitudes of the Indochinese apparently stems from past experiences with foreign soldiers during the First and Second Indochina Wars. The French commonly employed black African colonial troops in the early 1950s. The United States utilized a disproportionately large number of black combat troops in the 1960s and early 1970s. Moreover, some Indochinese refugees felt that the white ethnic community had used them to provide a buffer against the blacks in Guinotte Manor.[15]

Racial tensions flared in June 1976, after an isolated incident involving a Vietnamese man and a black family. The confrontation occurred after a 56-year-old Vietnamese man slapped a 5-year old black child in order to discipline him. While it is acceptable behavior in Vietnamese society to discipline another's child, it is less acceptable in American society. The slapping led to altercations between blacks and Vietnamese. After the fighting had ceased, a Vietnamese leader requested the Vietnamese to gather in the common in order to dispel rumors circulating. One black man became frightened at the sight of the Vietnamese gathering *en masse* and fired a shotgun blast into the crowd of Vietnamese. Three Vietnamese received gunshot wounds. In the wake of this incident, the Kansas City Human Relations Department requested and received technical assistance from the Indochinese Refugee Interagency Task Force in Washington, D.C. After tensions had relaxed, a Guinotte Manor Task Force was created. The task force was composed of three black residents, three Vietnamese residents, three white residents, and institutional representatives of the police department, housing authority, human relations, and the resettlement office. The function of the task force was to serve as a resource center inside Guinotte Manor where tenants could go to receive assistance, information, or aid in resolving conflicts.

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[15] This opinion is widely shared by many segments of the community.

The concentration of Indochinese refugees at Guinotte Manor served as a magnet drawing refugees from across the country.[16] The Indochinese refugees from the lower economic scale are accustomed to living in clusters. The refugee population in public housing steadily increased due to the migration of other refugees from initial resettlement locations to Guinotte Manor. Another cause for the increase was family reunification. Overcrowding remains a problem overlooked by the housing authority. It is not uncommon to find as many as 10 Indochinese refugees sharing a two- or three-bedroom unit, despite the large percentage of vacant units available.

An additional problem for the Indochinese refugees occurred when Missouri declined Federal monetary assistance offered by the government under Public Law 95-145. The reasons behind this action remain unclear but some ideas have been expressed on how this administrative decision was made. These include the unwillingness of the State to pay its contributing share of the funds and the growing unpopularity among some citizens of the welfare dual standards for refugees. There is not an unemployment problem among the Indochinese in Kansas City. However, it is not uncommon for three or four members of the same family to work to support a large family. These fishermen who came to Kansas City without marketable urban skills work in various blue-collar, low-skill jobs. The majority of Indochinese refugees in Columbus Park area earn between $3.50 and $5 per hour.[17]

III. Federal Policies and Laws—Analysis

A. These new low-income Asian Americans were victims of the failure of the national housing policy.

Under Federal law, there never has been a specific housing policy or program relating to the needs of Asian Americans or other ethnic groups. The housing opportunities of low-income Asian Americans therefore closely track those of other low-income minority groups.

In 1949 Congress did generally commit the Federal Government to achievement of "safe, decent and sanitary housing" for every American family, particularly low-income families. The national housing objective is ". . .the realization as soon as feasible of a decent home and suitable living environment for every American family. . . ." 42 U.S.C. Sec. 1441. The "Declaration of Policy" in section 1 of the 1937 Housing Act, 42 U.S.C. Sec. 1401, establishes as "policy of the United States to promote the general welfare of the nation by employing its funds and credit. . .to remedy the unsafe and unsanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low income, in urban, rural, nonfarm and Indian areas, that are injurious to the health, safety or morals of the citizens of the Nation." 42 U.S.C. Sec. 1401. Congress, in 1968, again reaffirmed the goal to the United States Housing Act of 1937 by ordering HUD to give "the highest priority and emphasis. . .to meeting the housing goals of those families for which the housing goal has not become a reality. . . ." 42 U.S.C. Sec. 1701t.

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[16] The population swelled to 221 persons by June 15, 1976, according to a refugee list furnished by the Vietnamese Center.

[17] Kansas City Star *(Star Magazine)*. Nov. 26, 1978, p. 16.

The Supreme Court, in *Thorpe v. Housing Authority of Durham,* 393 U.S. at 281, judicially confirmed that one of the specific purposes of the Federal housing acts is to provide, "'a decent home and a suitable living environment for every American family' that lacks the financial means of providing such a home without governmental aid." It also recognized Congress' directive that "all agencies of the Federal Government having powers, functions, or duties with respect to housing. . .exercise their powers, functions and duties under this or any other law, consistently with the National Housing Policy declared by this act." 42 U.S.C. Sec. 1441. This policy has been reaffirmed and reshaped through the years. Congress, for example, in the Preamble to the Housing and Community Development Act of 1974, again reaffirmed the interest of low-income persons in safe, decent, and sanitary housing:

> (c) The primary objective of this chapter is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Consistent with the primary objective, the Federal assistance provided in this chapter is for the support of community development activities which are directed toward the following specific objectives:
>
> (1) the elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;
>
> (2) the elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;
>
> (3) the conservation and expansion of the Nation's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate incomes;

> (4) the expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities;
>
> (6) the reduction of the isolation of income groups within communities and geographic areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods to attract persons of a higher income. . . . 42 U.S.C. Sec. 5301(c).

It indeed is clear that HUD and its predecessors have been under a duty to direct the development of low-rent units "in such manner as will encourage and assist. . .the development of well-planned, integrated, residential neighborhoods. . ." since at least 1949. 42 U.S.C. Sec. 1441. The progression of these duties of the Department of Housing and Urban Development is well recognized by the Federal Courts. See, e.g., *Joy v. Daniels,* 479 F.2d 1236, 1240–1241 (4th Cir. 1973); *Shannon v. HUD,* 36 F.2d 809, 816 (3d Cir. 1970).

The legislative history of the United States housing act and other national housing legislation enacted in the interest of low-income persons is literally permeated with the mandates of Congress that HUD act in the interest of poor persons, including Asian Americans.[18]

Despite the clear duties assumed by the Federal Government, it is clear that the failure of the national housing policy is a tragedy of national proportion. In the case of numerous public housing developments funded and regulated by the Federal Goverment, HUD is, in effect, maintaining little more than racially segregated slums. The divisive and harmful social results of maintenance by local housing authorities of segregated slums emasculating the purposes of the United States Housing Act of 1937, had to have a substantial impact on the integration of these Asians in American society.

By 1975 the Housing Authority of Kansas City (HAKC) owned and managed seven conventionally-constructed public housing developments for families. There had been no new developments constructed for use by families by HAKC since 1963. The housing authority had knowingly maintained two of the developments as black developments at all times since 1967. All seven family developments were located in central city areas which had experienced substantial declines in terms of condition of the housing stock and median income of residents. The developments increasingly had growing numbers of very low-income minority families with significant social problems and were served by public schools which were rapidly becoming racially segregated. It was inevitable that these conditions would affect the resettlement of these Asians in Kansas City.

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[18] See legislative history cited at *U.S. Code Cong. & Adm. News,* 1949, pp. 1565–1566; 1954, pp. 2723–2724, 2726; 1968, pp. 2873, 2874; 1974, pp. 4397.

Kansas City had recognized the need for dispersal of some of these units. The mayor had, since 1971, consistently promoted such a governmental policy. HAKC actually conceived and executed a workable plan for the construction of family housing at dispersed sites within the city of Kansas City with the cooperation and support of planning agencies of the city, members of the city council, the city manager, and the mayor. The plaintiffs, in a lawsuit filed in 1976, alleged that these units were never built because of policies promulgated by the Nixon administration during the early 1970s. See *Louise Vann, et al., Plaintiffs v. Housing Authority of Kansas City, et al., Defendants.* Civil Action No. 76CV72-W-3.

On January 8, 1973, the administration declared a moratorium on the further construction of conventional public housing units under the United States Housing Act of 1937.[19] The fate of HAKC's segregated developments was thereby foretold and HAKC thereafter was denied further reservations or developments for construction, and existing reservations were ceased by HUD. Since 1974, Congress has repeatedly expressed its disapproval of these particular HUD policies.[20] It is only in the last several years that HUD has begun developing limited policies to counter this national trend.

It is, therefore, little wonder that these Asians were greatly affected by their residence in housing owned by the metropolitan area's housing supplier of last resort. This failure of the national housing policy affects HAKC's waiting list, in terms of numbers and race; it affects the difficulty in maintaining integrated housing for Asians and other minorities; it affects the Kansas City School District, which in turn reinforces a segregated environment affecting the Asian American, and it all could have been avoided by simply following clear directives of Congress existing as long ago as 1949.

B. Many resettlement problems could have been avoided through better coordination and use of existing Federal programs.

The lower income Indochinese refugee received disparate treatment as compared to those Indochinese refugees from a higher socioeco-

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[19] Senate Report 93-1036, 93d Cong. 2d sess., pp. 6-7 (Aug. 1, 1974).

[20] Senate Report 93-1023, 93d Cong. 2d sess., p. 7 (1974); H.R. No. 94-1091, 94th Cong. 2d. sess. (May 6, 1976); S.R. 94-749, 94th Cong., 2d sess. (Apr. 12, 1976).

nomic group. The Federal Government should not have totally abandoned its policy of individual sponsors for individual refugee families. In doing so, the Indochinese refugees were deprived of any meaningful interaction with American families. Nor should the Federal Government have agreed to the large concentration of Indochinese refugees in Columbus Park without prior consultation with all major segments of that community. Much of the resentment from the black community arose as a result of the exclusion of that community from the decisions which affected them. A closer examination of these problems by the Federal Government would have revealed a history of cultural and racial differences between the whites in Columbus Park and the blacks living in Guinotte Manor.

The Federal Government should have assured that necessary supportive services were adequate and available. The housing supply, for example, was inadequate absent the use of these dilapidated public housing units. There also was no adequate counseling service, even as to the most basic housing needs. Consequently, many refugees faced their first winter in Kansas City without knowledge of how to turn the heat on in their public housing units, or what type of food and clothing to purchase in preparation for a Midwestern winter.

The Indochinese refugee resettlement program suffered most of all from the lack of a consistent, uniform refugee policy directed by the Federal Government. The program had the appearance of a piecemeal operation with the funding to the resettlement office being constantly interrupted. The flow of refugees to Kansas City continued at a rate which made proper service impossible. Oftentimes, personnel working at the resettlement office had to work full time without pay. A uniform refugee policy may have also prevented the steering of poorer refugees into existing neglected areas like Guinotte Manor and thereby prevented further negative impaction.

The Federal Government could also have better used the Community Relations Service of the United States Department of Justice. This little publicized agency was established under Title X of the 1964 Civil Rights Act to, as the language of the act puts it, "provide assistance to communities and persons in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color or national origin." The Community Relations Service staff have pioneered the adoption of labor-management mediation techniques to community dispute resolution work. Their techniques are now coming to be recognized as a cost-effective means for getting at the underlying factors that precipitate conflict.

For example, at the time of the altercations between refugees and low-income American minorities described above, the Kansas City Human Relations Department found considerable benefits from persons attending a meeting held in Kansas City with persons who had experience resolving Indochinese refugee resettlement problems elsewhere in the United States. The resulting planning enabled Kansas City to anticipate avoidable conflict. This meeting was in part organized with the assistance of Community Relations Services personnel based in Kansas City.

Contingency planning and dispute resolution through mediation advocated by Community Relations Services is a continuing function particularly in light of increasing numbers of refugees and other minorities experiencing discrimination prohibited by law. Many cities and counties experiencing conflict associated with prohibited racial or national origin discrimination do not maintain civil rights program officials. For example, Johnson County, Kansas, a substantial portion of suburban Kansas City, announced March 21, 1979, that the county government was discontinuing funding for staff positions and disbanding their human rights commission.

Appendix I

THE COLUMBUS PARK INDOCHINESE REFUGEE RESETTLEMENT PROPOSAL

A Proposal

Considering the Resettlement of Vietnamese Refugees

Submitted by the Residents of the Columbus Park Area of Kansas City, Missouri

The Columbus Park community in Kansas City is a completely integrated, multicultured neighborhood which has traditionally served newly arrived immigrants to this country, including displaced persons during World War II and refugees from Hungary and Cuba. One of the oldest and yet one of the few true neighborhoods remaining in the metropolitan area, it offers an atmosphere unlike that in any other part of the city. Its residential buildings are structurally sound and well kept. It is served by a strong church which was originally founded to serve an immigrant parish. An active Home Owners' Association and many community-oriented groups such as the Property Owners Planning Commission and the newly formed Columbus Park Development Corporation (a nonprofit organization funded by the city charter's revenue sharing plan) are instrumental in neighborhood development and maintaining both the heritage as well as the property of the area. It is a stable community which desires to maintain that stability.

The Don Bosco Community Center is dedicated to providing a structure to the community and provides it with many essential services including the promotion of a strong neighborhood image. The area is but a few blocks from the city market where many of the residents are employed. It is centrally located to all of Kansas City and boasts the lowest crime rate of any area in the city.

Therefore, based on the heritage of the neighborhood and in an effort to aid in the revitalization of Columbus Park while at the same time providing new immigrants to adjust to their new life, the following proposal is presented:

PROPOSAL: To relocate up to 75 Vietnamese refugee families in the Columbus Park area of Kansas City, Missouri, utilizing existing housing facilities and services to settle and orientate these people at low cost to the government and be able at the same time to provide the

APPENDIX I

Approximate Costs

Housing	
Preparing Living Units 40 @ $295	$11,800
1st Year Rent (100%)	$ 7,875
2nd Year Rent (50%)	3,937
3rd Year Rent (25%)	1,968
TOTAL RENT	$13,781
Education	
Basic English & Citizenship	
Teacher	$10,000
Supplies & Texts	2,000
Vocational Language Training (For Professional & Technical People)	
Teacher	$12,000
Tape Machines, Supplies & Texts	18,500
Rent	3,250
Social & Welfare	
Social Worker	$10,000
Recreation Director	8,000
Bus	5,200
Driver	6,000
Miscellaneous Costs	2,000

Supplementary funds to senior citizen and day care programs would be on a per capita basis in proportion to present funding.

refugees with a structured community geared to expediting the cultural transition which they face. The community itself would benefit in that the settling of the families in the area, many of whom would be professional people, skilled workers and tradesmen, would aid in the stabilization of the neighborhood and concurrently upgrade the living conditions.

I. Available Facilities

I. Housing

A. *Private Housing:* Up to 40 apartments in the community could be made available to refugee families, providing them with immediate acceptance into the community itself. At an approximate cost of $295 per unit these units could be revitalized. The greater part of this money would go to improve the actual physical structure (plumbing, wiring, heating, painting, etc.). The community through such organizations as the Home Owners' Association, local churches, and the senior citizens organizations could aid in providing the essentials of housekeeping such as linens, bedding, cooking utensils, etc. The suggested rent for each such unit would be $105 per month with the appropriate government agencies providing 100 percent of the rent for the first year, 50 percent the second year, and 25 percent the third year, the balance being paid directly to the landlord by the resident.

B. *Public Housing:* Units in the Guinotte and Chouteau housing projects which are being vacated by the screening processes of HUD programs could provide up to 35 residences for refugee families. The same method of rent payment would be utilized only with the government agency itself acting in the capacity of rent collector.

II. Orientation Facilities

The Don Bosco Community Center, funded by Federal revenue sharing and the United Funds. The center is the hub of the community and has a history of working with immigrant peoples who have traditionally settled in this area of Kansas City. It can provide social and educational services without extensive modification to its present program and serve in an overall advisory capacity to the new families. Physical facilities and some of the staff of the center can be utilized at no cost to the taxpayer. Among the services which are presently available or could be easily adapted are:

1. Nutritional education
2. Citizenship education
3. Language education
4. Recreation programs, including sports, crafts, and various leisure time activities.

Obtaining orientation in such an atmosphere would greatly facilitate the assimilation of the families into their new society.

III. Social Services

A. Day care center
B. Senior citizen organizations
C. Food programs
D. Guinotte recreation center

IV. Education

A. Public Schools
  1. K. C. Mo. elementary & secondary schools
  2. Penn Valley Community College
  3. University of Missouri at Kansas City
B. Private & parochial schools
C. Vocational training

Many private and public institutions provide this service. The Don Bosco Center could be used for training in such things as office skills.

D. Language education

See attached outline [below].

Employment

The area is centrally located in reference to industry and business. Many area businessmen have expressed a willingness to hire the immigrants.

* * *

Feeling that the neighborhood has much to offer in the way of aiding the Vietnamese immigrants and willing to accept them wholeheartedly into the society, realizing that the neighborhood itself will be greatly benefited and the cost to the government will be extraordinarily low, the consensus of area residents is that this proposal be adopted for the best interests of all concerned.

The opportunity to teach English as a foreign language is undoubtedly one of the finest and most rewarding pursuits a teacher could have. To this end I have proposed a tentative program for teaching English as a second language to native speakers of Vietnamese. This program is designed to initiate or augment a methodology for readjusting Vietnamese refugees to a worthwhile social and economic life while in the United States. In the program the students are to be taken on their own merits; that is, if a person was a banker, he would be studying economic or financially oriented materials so he would be more competent to compete in business circles here.

As a basic approximation the program runs as follows:

1. It is an intensive program (ideally). This is especially valuable in the early stages to bridge the gap relative to the linguistic diversity of the cultures and also because of the success that such programs have had in the past. The increased number of contact hours of daily language instruction will also circumvent the problem of having to place the refugees into occupational fields immediately.
2. It is a program that is relatively easy to administer. The materials can be appropriated so that there is a need for only a few administrators who are qualified or have knowledge of teaching second languages. The rest of the staff or instructors can be trained in a relatively short time to serve as assistant instructors. While it is not necessary, it is certainly most helpful that these assistant instructors have a knowledge of teaching languages or at least have learned some other language so that the newness of the classroom situation will not detract from the students right to learn English.
3. The cost of the program can be held to a minimum with the aid of the community and donations from local firms in terms of teaching materials, instructional aids, and clerical services. The most expensive component of the educational program will probably be a language lab

with electronic facilities, though it is not uncommon to limit these electronic facilities to an unspecified number of cassette tape recorders for home study.

4. The time needed for training a language learner in a new language has been estimated to be at least 1 year. This will bring the student to approximately a fourth or fifth grade level of language proficiency. Any time devoted after the first year will and should be spent on perfecting the language that goes along with the students' prior skills and occupational professions.

The above language program was developed by William D. Patterson, Intensive English Center, University of Kansas, Lawrence, Kansas.

APPENDIX II

Indochinese Refugee Population by State as of May 1979

	1/31/79	2/28/79	3/31/79	4/30/79	5/10/79
Alabama	1,369	1,378	1,480	1,504	1,514
Alaska	242	246	246	259	259
Arizona	1,318	1,334	1,383	1,416	1,428
Arkansas	1,868	1,918	1,974	1,985	1,990
California	48,997	50,009	52,111	53,640	54,017
Colorado	3,727	3,756	3,946	4,032	4,047
Connecticut	1,716	1,762	1,865	1,900	1,928
Delaware	199	199	199	201	201
District of Columbia	837	877	1,191	1,352	1,370
Florida	5,712	5,808	5,931	6,039	6,058
Georgia	1,726	1,788	1,863	1,933	1,938
Hawaii	3,012	3,118	3,336	3,437	3,465
Idaho	416	456	461	465	465
Illinois	5,856	6,044	6,452	6,768	6,844
Indiana	1,999	2,040	2,088	2,109	2,113
Iowa	3,230	3,330	3,446	3,713	3,713
Kansas	2,252	2,265	2,326	2,385	2,396
Kentucky	1,072	1,106	1,143	1,162	1,162
Louisiana	7,445	7,487	7,680	7,815	7,825
Maine	292	302	313	321	321
Maryland	2,924	2,947	2,973	3,016	3,021
Massachusetts	1,601	1,634	1,712	1,792	1,792
Michigan	3,169	3,259	3,380	3,484	3,520
Minnesota	4,503	4,590	4,864	5,017	5,082
Mississippi	799	810	816	831	831
Missouri	3,062	3,120	3,199	3,254	3,260
Montana	507	513	529	541	544
Nebraska	1,527	1,587	1,670	1,761	1,761

APPENDIX II (Continued)

Indochinese Refugee Population by State as of May 1979

	1/31/79	2/28/79	3/31/79	4/30/79	5/10/79
Nevada	840	884	916	932	940
New Hampshire	145	145	145	145	152
New Jersey	1,901	1,929	1,946	1,950	1,969
New Mexico	879	903	962	996	997
New York	4,968	5,136	5,525	5,846	5,869
North Carolina	1,340	1,364	1,434	1,506	1,506
North Dakota	303	366	387	401	401
Ohio	3,112	3,185	3,322	3,419	3,439
Oklahoma	3,670	3,758	3,867	3,966	3,971
Oregon	4,463	4,596	4,841	5,023	5,076
Pennsylvania	8,079	8,234	8,722	8,894	8,909
Rhode Island	869	890	963	999	1,022
South Carolina	907	918	927	934	935
South Dakota	466	466	497	513	513
Tennessee	1,695	1,728	1,805	1,873	1,877
Texas	16,536	16,903	17,349	17,669	17,732
Utah	1,404	1,463	1,603	1,710	1,727
Vermont	52	52	52	52	52
Virginia	7,027	7,077	7,156	7,225	7,234
Washington	6,457	6,586	6,829	7,097	7,131
West Virginia	154	171	171	176	176
Wisconsin	2,814	2,873	2,981	3,018	3,057
Wyoming	96	96	96	96	96
Guam	364	376	387	387	387
Puerto Rico	36	36	36	36	36
Unknown State	499	499	499	499	499
Virgin Islands	17	17	17	17	17
	180,470	184.334	192,012	197,511	198,585

Health and Social Services

CHAIRMAN FLEMMING. The Commission, in connection with the consultation, now turns to the health and social service issue area, and I'm requesting our colleague, Commissioner Saltzman, to preside during the discussion of these very important issues.

Commissioner Saltzman?

COMMISSIONER SALTZMAN. Our first panel on health and social service issues will deal with the area of mental health. We'd like to introduce to you Prof. Kenji Murase. Mr. Murase is the principal investigator for the Pacific/Asian Coalition, mental health concerns division, and has been a professor of social work education at San Francisco State University since 1967. Mr. Murase?

Presentation of Professor Kenji Murase, Department of Social Work Education, San Francisco State University, California

MR. MURASE. Thank you.

Members of the Commission, ladies and gentlemen, thank you for this opportunity to appear before you.

Since so much has already been said about mental health related issues, I will focus on only a few of the issues that I have developed in my paper. I will, therefore, focus upon the specific issue of how State and local governments may act to correct the problem of inequity for Asian/Pacific Americans in their access to and utilization of mental health services.

We have heard much during this consultation about the problem of access and utilization in relation to other services. So I'll not go into the problem here. The premise developed in my paper is that State government performs a critical role in determining the nature of the mental health services. That is, through its function, contribution, and control over the provision of services, and through its administration and disbursement of Federal funds, State government is a major instrument in influencing the quality and quantity of mental health services.

Although the problem of access and utilization of services affects all Asian/Pacific Americans, my primary concern is with the most vulnerable, the most at risk groups among Asian/Pacific Americans. As we have heard repeatedly in this consultation, there are at least three such groups. The first consists of recent immigrants, mainly Chinese, Korean, Filipinos, and other Pacific Islanders. The second group consists of Indochinese refugees, and the third would be the elderly of all Asian/Pacific American groups.

Now, what are the barriers that create the inequities in access to and utilization of mental health services by Asian/Pacific Americans? In my view, and as we have heard much of this before, there are, first of all, the cultural and linguistic barriers, and these may be defined in terms of cultural values, lifestyles, and language.

Secondly, and perhaps more important, there are the structural and institutional barriers. These are the barriers that are deeply imbedded in the racist history, traditions, and practices of the larger society.

There are many such barriers, and I will mention only a few. First, there is the problem of noncompliance with section 206C–1 of Public Law 94–63, which concerns community mental health centers that have a substantial proportion of limited-English, limited-English-speaking, or non-English-speaking populations.

This section of the law requires that such community mental health centers must provide services in the language and cultural context most appropriate for such populations. We know that for the most part this is not being done.

Another barrier is tokenism in the employment of bilingual-bicultural personnel. Even when such bilingual personnel are employed, they are often widely disbursed throughout the system and are not permitted to function as a visible team or unit.

Another barrier is the practice of confinement of services to catchment areas only or geographically defined areas. So that even if bilingual services are available and in one catchment area, large numbers of Asians who are dispersed in other areas do not have access.

What, then, can State and local governments do to deal with these barriers to access and utilization of mental health services? I will mention just a few of the measures that could be undertaken by State and local units of government.

First of all, as a basis for planning and evaluation, there should be mandatory collection of data on bilingual-bicultural needs.

Secondly, there needs to be a mechanism for monitoring of compliance with nondiscrimination statutes. One such mechanism would be the establishment of an Asian/Pacific American commission at the State level to perform a watchdog function to advise the State government on the effects of policies and regulations on Asian/Pacific Americans.

The scope of such a commission's interest should probably be extended to all human services, as in the case of the Commission on Asian American Affairs of the State of Washington.

At a minimum, such a commission should be provided with the resources and authority to engage in monitoring existing State-funded mental health program and facilities. It should have the authority to hold public hearings, and to withhold approval of the State mental health plan, thereby requiring a response by the State planning agency.

An alternative would be the creation of an Asian/Pacific office within the existing State human rights agency or commission. Its function would be to monitor compliance of all State agencies with State and Federal statutes, and to initiate action to withhold Federal or State funding in situations of discriminatory practices or impact.

A third measure that could be adopted by State government would be a manadatory bilingual staffing requirement for public contact positions in public service facilities such as mental health programs.

Such a bilingual staffing law should consist of first, the identification of a trigger mechanism for enforcement of the bilingual staffing requirement. For example, when at least 3 percent of the population of a service area are of limited-English or non-English speaking ability, the bilingual staffing requirement would become operative.

Secondly, there should be specification of the types of positions to be filled by bilingual staff. This bilingual staffing requirement will not be met by the hiring of bilingual clerical staff as has been the practice in so many cases.

Third, there should be a spelling out of the procedures for the hiring of bilingual staff.

And finally, when bilingually certified staff are hired for public contact positions, they should be compensated additionally if they spend more than a specified proportion of their time in using their special language skills. California currently pays $30 a month, I believe, extra to bilingually certified staff.

I have much more to say in my paper, but in the interests of time, would like to defer to my colleagues on the panel.

Thank you.

COMMISSIONER SALTZMAN. Thank you, Professor Murase.

Our second speaker is Dr. Pat Okura. He has been the assistant director of the International Mental Health Program of the National Institute of Health for 3 years and was previously the executive assistant to the director of that organization for 7 years.

Dr. Okura.

Presentation of Dr. K. Patrick Okura, Assistant Director, International Division, National Institute of Mental Health, U.S. Department of Health, Education, and Welfare

DR. OKURA. Thank you very much.

I appreciate the opportunity to appear before this consultation. I have spent a great amount of time in the last 10 years appearing before many, many commissions, many hearings, and it's my hope that the results of this will not be the results that we have seen in so many other commissions, that after the 2-day hearings or after the 2-day consultation, that all the nice things that we have said and all the other things that we would like to see done, just gathers dust on somebody's shelf. I trust that with the number of experts and the number of people that you have called in for this kind of a consultation, that there will be some impact on some of our mental health programs in the next several years and the next decade.

I prepared a few remarks and it will probably be a repetition of a lot of things everybody else has said but I want to say it for the record and get it onto the record and then I'd like to tell you a little about what NIMH itself is preparing to do in this whole area.

There's a widespread belief that Asian and Pacific Americans do not suffer the discrimination and disadvantages associted with other minority groups. The stereotyping of Asian/Pacific Americans as a success model among minority groups by virtue of hard work, education, thrift, and initiatives, has lulled the general public into an attitude of what we call benign neglect to the extent that the Asian American concerns are secondary to the problems of other minority groups.

The general public, as well as the Federal Government, fails to understand that except for the common fact of immigration and residence in the United States, the Asian/Pacific Americans represent a rather heterogenous and complex group.

The successive waves of Asians who have come to the United States have experienced a repetitive history of labor exploitation, blatant discrimination, and violence. The Asian American responded to this overwhelming racism by withdrawing, by accepting, by uncomplaining, and simply as quiet Americans.

This quietness has penalized many harshly since it fostered the attitude of benign neglect among public and private officials to the extent of excluding Asian/Pacific Americans as a significant minority group. The fact is that despite recent efforts to promote civil rights and equal opportunity for all ethnic minorities in the United States, Asian and Pacific Americans have been largely neglected and ignored by governmental agencies, educational institutions, private corporations, and other sectors of our society.

This has been further compounded by the paucity of Asian Americans in policy and decisionmaking, high administration and management positions in both government and private industry.

Two examples: Anti-Asian bias in Public Law 95-507. Asian Americans have been excluded as a protected minority under the definition of "socially and economically disadvantaged" in this Public Law 95-507, which gives preferential treatment to federally designated minorities in awarding government contracts. Selection of blacks, Hispanics, and Native Americans are specified in this law, however, Asian and Pacific American groups have been completely left out.

Second example is when the President's Commission's on Mental Health was established, not a single Asian American, Asian/Pacific American was named among the eight minorities that were appointed to this 20-member Commission.

Many of us appeared before the Commission; we had a great deal of input and finally there was a 20-member task force set up of Asian/Pacific Americans to provide an input into the President's Commission's report.

Now, why I think this is so important is that the President's Commission's report is going to be the blueprint for our mental health programs for the next two decades in this country and unless we have some impact into that particular Commission's report, and its stated on every other page practically, the underserved, the unserved, including women, children, aging, all the minorities and especially Asian American minorities, in this particular report.

However, if there's no Asian or Pacific American placed in any kind of a position to carry out the recommendations that appear in the President's report, again we will be last in line and the least served. These are only two blatant examples in just this past year in spite of our efforts to promote equal opportunity and civil rights for all ethnic minorities. Now, from a mental health perspective, programs in the area of health, education, welfare, housing, employment, immigration, manpower, rehabilitation, aging, children, all have significant and major impact on the Asian/Pacific American community. The Asian American group consists of more than 4 million which you've heard and who have resided in this country and are now victims of many of the same political and economic inequities that have victimized the other minorities, blacks, Hispanics, and Native Americans. The guarantee of equal opportunity for all persons regardless of race, sex, color, religion, or national origin is a national goal. It's legislated into our laws and it's affirmed by the highest court in our land, so all we're asking for is, and we make the request to the Commission, to encourage and assist other Federal agencies to implement these laws that are on the books, and carry out the kinds of programs that we're talking about.

I think that it's a responsibility which should not be lightly considered by this Commission. We seek no special privileges; all we seek is equal rights and equal opportunity.

Now, in the area of mental health, and the President's Commission's report which just was completed and submitted just a year ago, they made, as I mentioned earlier, a number of recommendations, and some of them have already influenced our 1979–80 research budgets and other budget appropriations for our National Institute of Mental Health.

To make the most of these opportunities, and to best meet the mental health needs of our group, I believe the minority community has to pervade the mental health establishment. Recently we held, just a week ago, a technical systems workshop on minority mental health research. Another one is planned on the west coast, and I hope that all of our Asian American professionals and others that are interested in mental health will make sure that they appear at this particular workshop to make their needs known.

I presented a paper there in terms again of pointing out that we—the intent is there, there are enough laws on the books, but for some reason or another, when it comes to making policies to carry out these provisions that are already in our statutes and in our guidelines, somehow they fail to get carried out.

I just want to describe a couple of things that we have planned and the strategies that, on a policymaking level, have already taken place in NIMH, and we're working on every effort to encourage minority participation in all areas of not only research but training as well as services.

The first is that we have recently signed, together with the National Institutes of Health, a division of research resources, a program to participate and support minority biomedical support program. We're providing research awards to various institutions that have significant enrollment of ethnic minority students, thus creating an opportunity for more Asian Americans to participate in biomedical research. I'm sure that there are a number of well trained researchers within our Asian/Pacific American population, however, again we seem to overlook them when it comes to some of the programs that we have instituted.

Under this agreement signed this last month, NIMH agreed to provide financial support into the programs to fund activities that are relevant to mental health and to increase the number of minority personnel in basic clinical and applied research and as well as in research training in all of the various mental health-related areas.

Tomorrow, when our national council meets to give approval to all the awards, for this particular round there will be five projects that have been reviewed and will be receiving approximately $2 million to do some of this kind of work that I just mentioned.

We also have a minority fellowship program supported by our center for minority mental health programs. In the past year we have provided close to $6 million in grants to the various national disciplinary organizations such as the American Psychiatric Association, the American Psychological Association, National Association of

Social Work Education, American Nurses Association, and the American Sociological Association in providing opportunities specifically for minority training programs. The objective of each is to increase the number of minority mental health professionals and social and behavioral scientists in these disciplines.

However, again, when you check the records of the last 5 years, there's only a handful of Asian/Pacific Americans that have received any kind of help from this kind of a program, and I think here again we need to make sure that the Asian American population itself has to be a little more aggressive in terms of seeking these kinds of opportunities.

We are continuing to increase our grant support interactions with minority institution and minority investigators. It's important that minorities participate in what we call our peer review process that is required to the award of grants. And they're the ones that make the decision as to who gets the awards and so on.

So we have made a very concerted attempt to get more Pacific/Asian minorities onto these initial review groups.

In the history of NIMH, in 5 years we've only had one Asian American on the National Advisory Council, and that was to fulfill an unexpired 1-year term.

We've sent up a great number of names; we have a number of well-qualified professionals in the mental health field, and every year three or four names are sent up, but somehow they are overlooked, they never get on our advisory council, although we are able to have enough blacks, enough Chicanos, However, the Native Americans receive the same kind of treatment that the Asian/Pacific Americans have received.

I think this gives you some ideas in terms of what our thoughts are, in terms of the opportunities that supposedly are available for everyone, however, again, in my closing remarks, I'd just like to make the statement that, when we consider minorities, that we be given the same kind of consideration that we've given other minorities.

Thank you very much.

COMMISSIONER SALTZMAN. Thank you, Dr. Okura.

Our next speaker is Dr. Steven Shon, who is the staff psychiatrist at the Richmond Maxi-Center in San Francisco, Dr. Shon.

Presentation of Dr. Steven Shon, Staff Psychiatrist, Richmond Maxi-Center, San Francisco, California

DR. SHON. The title of my talk will be the delivery of mental health services to Asian and Pacific Americans. Recruitment and training will be discussed under that.

What I'm going to discuss today briefly is really the service delivery aspects of mental health services to Asian and Pacific Americans. And

I want to point out in the beginning that it's estimated that by 1980 the Asian and Pacific American population of this country will exceed 3 million people. And this is especially impressive when one considers that in 1970 the population figures were estimated to be about 1.5 million.

I think the other important aspect to remember in this is that over half of that population are immigrants, and that has a lot of bearing in terms of the delivery of mental health services that I'll discuss later.

Also, I wish to point out, and several of the other speakers yesterday and today I know pointed out, the great diversity within the Asian and Pacific American designation. And because of this diversity, I think that it really is important to keep in mind that all groups who are going to be reached by mental health services must be included at all levels of planning and decision if those services are really to be appropriate for the people who will be receiving them.

In terms of the mental health models that are used in this country, the field of mental health still predominantly is based on the medical model of disease and illness, and there's no field in the medical field, for example, where culture and value systems make such an important difference.

The root of the theoretical models that are presently used are really derived from the western European philosophical base with its inherent attitudes and value system.

The growth of these models comes out of the European Age of Reason and the development of the scientific method. The mental health models are mechanistic and reductionistic kinds of models and rarely influence the way the Western world has looked at things, basically the world view that it's taken.

In terms of serving people, mental health service providers, when they do serve people who share the same value system and background and culture, if often works out very well. However, in serving people from different cultures and with different backgounds and who have a different world view, the results are often far from satisfactory. And I wish to discuss very briefly a couple of examples of the differences.

One is in the area of the view of the family versus the individual. Within Western society there is a great focus on the individual. The focus on family is on the nuclear family, and it's expected that a young person will grow up, have authority and parental conflicts, and eventually break away from the family and build their own life.

The ideals of individuality, independence, and self-sufficiency are highly stressed. Within most traditional East Asian and Pacific cultures, there's a different kind of stress, particularly those that have a strong Confucian tradition. The family tends to be a central vehicle rather than the individual. It is an entity that exists through time and has a history that goes back to the beginning of time and will exist perhaps till the end of time. The individual's actions reflect not only on himself and the nuclear family but often tend to reflect, or are thought to reflect, on the entire family line from the beginning and on all the future generations to come.

Therefore, actions by the individual are looked at much differently and the issue of stigma is much greater. A lot of other issues around this are discussed in the paper that I've submitted and can be looked at later.

The American mental health professional who sees Asian and Pacific American individuals from traditional families often labeled them as pathological, based primarily on their own conscious cultural bias of what is appropriate for mainstream, middle-class white Americans. Asian and Pacific American children are frequently labeled as dependent, family members as overprotective, and relationships between family members as symbiotic.

This is not to say that emotional disturbances do not exist, for they certainly do. But the mental health system all too frequently compounds problems by misinterpretation of both normal and abnormal behavior and interactions because of cultural ignorance.

Another issue in which this arises is in the area of communication. American society tends to promote directness, openness, and honesty as its stated ideals. However, within the tradition of most Asian and Pacific American cultures, communication is governed by many very complex variables. Among them are age, status, role, familiarity, concepts of obligation, shame, and loss of face, and many others.

Without knowledge of these important variables, many American mental health professionals make interpretations based upon their own cultural view and value system around communication. Most psychotherapists rely primarily on direct verbal communication and therefore this style of communication tends to be highly valued by mental health professionals.

Because of this Asian and Pacific American people are often seen as quiet, passive, nonexpressive, and overall resistant to psychotherapy. In actuality there may be many messages being communicated but not in the direct verbal manner that American mental health professionals are used to. Again, these concepts are developed more in the paper that I've submitted.

It's therefore not surprising that recent studies in Los Angeles, San Francisco, and Seattle show that Asian and Pacific Americans usually do not return after their first visit to the mental health system.

In dealing with solutions to these problems, I've outlined some things that are again listed in the paper and I'd like to go over them briefly.

First of all, I think that it's essential that all Asian and Pacific American groups that are going to be reached by service delivery systems be involved in all levels of the decisionmaking process from the very beginning.

Next, I think that it's clear the importance of bilingual-bicultural mental health service providers. The mental health service provider who does not understand the cultural context of his client cannot effectively serve him. With the high number of immigrants over half the existing Asian/Pacific American population, it's essential, of course, that bilingual service providers exist.

I think Kenji Murase has discussed the importance of the enforcement of subparagraph D of section 206C-1 of Public Law 94-63 guaranteeing that, where there is a significant population of monolingual people, that bilingual-bicultural service providers be available.

Most community mental health centers do not comply with this legislation but there is no enforcement and therefore nothing comes of it. I think one of the essential and crucial areas is in the area of training in terms of the solution. It's clear that there are not enough service providers who have bilingual-bicultural capacity to deliver mental health services.

Traditional training programs are not knowledgeable or sensitive to issues of Asian and Pacific Americans, and therefore cannot teach and train service providers. They often offer little opportunity for service providers to have contact with Asian and Pacific Americans.

Because of the small amount of resources within the communities, it makes sense to pool resources, and I endorse the stand that the President's Commission on Mental Health subpanel on Asian Americans took in recommending a multidisciplinary training program located in various regions for the training of service providers in the areas of psychiatry, psychology, psychiatric nursing, social work, and paraprofessionals.

Such a service, such a training program could provide field work, seminars, develop curriculum, offer recruitment and research and evaluation for Asian and Pacific American communities in mental health.

They could also provide direct services and indirect preventive services as well consult with other service delivery agencies and teaching institutions on the issues of working with Asian and Pacific American populations.

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I think one of the essential features of such a training program would be that it must be community based. The idea is not to replace universities in training institutions but to supplement them.

In terms of short term goals, I think that there are a few things that can be done. One deals with the issue of maldistribution of service providers. There are many foreign medical graduates from Asian and Pacific American countries who comes to the United States and are trained in psychiatry. However, they are not accepted into programs where there are high populations of Asian and Pacific peoples, that is, west coast universities and training institutions, and this is where the majority of our population exists. They are shut out of these programs and often end up training and practicing in the East and the Midwest where there are lower numbers of people.

The problem with the catchment concept was discussed by Dr. Murase and I won't go over that.

I think finally the last thing that I'd like to say is that, and again I'd refer to the mental health of Asian and Pacific Americans report, which is part of the report to the President from the President's Commission on Mental Health, and they identify this as the central issue for Asian and Pacific Americans in mental health and I'll quote, "the most pervasive mental health problem confronting the Asian and Pacific Americans is racism. The effects of racism, such as colonialism and institutional racism are viewed as being highly detrimental to the mental health of Asian and Pacific Americans. Racism adversely affects the emotional and psychological well being of Asian and Pacific Americans and often restricts the resources, economic and services available to them."

COMMISSIONER SALTZMAN. Dr. Shon, are you going to submit that with your report?

DR. SHON. Yes, I am, and they have a recommendation which the Commission can read in the report.

COMMISSIONER SALTZMAN. Okay, I'd like to thank you very much for your presentation.

Our next speaker is Ms. Evelyn Lee, who is the director of the mental health and social services division of the South Cove Mental Health Center in Boston.

Ms. Lee?

Presentation of Evelyn Lee, Director, Mental Health and Social Services Divison, South Cove Mental Health Center, Boston, Massachusetts

MS. LEE. Thank you.

Commissioners, ladies and gentlemen. First of all, I want to make it very clear that I am a Chinese American. Today when I took a cab the driver was totally confused about whether I was a Filipino, Korean, or Japanese. So I just have to say that most Americans are still confused about all "those Asians."

Actually, for many Asians, mental health is still a vague concept to them. During the last 16 years, I had the opportunity to work in Hong Kong, Vietnam, and in Chinatowns of the United States. Every time when I stepped into Chinatown and identified myself being a mental health professional and wanted to offer mental health services, they would all look at me, thinking that I had mental health problems myself. I always have a hard time trying to translate the word "mental health" into Chinese or Vietnamese without making it somewhat threatening. So we have to start by assuming that Chinese, like other Asians, are pretty confused about the conception of mental health, but it doesn't mean that we don't have problems.

As a provider, I see tremendous human tragedies daily. There have been many Asians walking into my office to ask for help. For instance, just yesterday, I had a lady who was separated from her husband for nearly 17 years. By the time that she arrived at United States, her husband died on the same day. She cried to me yesterday, asking "What right does the government have, separating my husband and myself for 17 years"? It's indeed very difficult for me to reply to such a question. Last week I showed a film to a group of garment and restaurant workers and we talked about our problems in Chinatown. Many of them have to work 12 hours a day in restaurants or factories with only 5 or 6 hours of sleep each day. They lack union protection, health insurance, and retirement plan. I also have a lot of young clients who have no idea whether they are Chinese or American. Many lonely elderly are dying daily in Chinatown, with neither adequate health care nor attention from the anyone else. As Asians, we have a lot of problems. What happened to those nice promises made to us by the government in the last two decades? For instance, what happened to the 1963 Community Mental Health Center Act and its 1975 amendments which guaranteed bilingual-bicultural services? What about those affirmative action acts? The mandate of Title VI of 1964? It's nearly impossible for me to provide satisfactory answers to the consumers in our community.

Sixteen years after the first Community Mental Health Center Act, one sees only a few community-based mental health programs for Asians. Severals days ago I was in Chicago. I discovered that Asian Human Services has the budget for only one staff while many other Asian communities either have very few or have no bilingual-bicultural resources at all. What a very poor track record!

You might ask, "What would you want now"? Since we're so overwhelmed by our problems, it's hard for us to put all those needs and priorities together. But what I may share with you is my personal experience from working in Boston Chinatown. Our mental health service model can be served to demonstrate how the use of bilingual-bicultural staff can dramatically increased the delivery of services to Asian minorities.

After nearly 10 years of negotiation with the government we have obtained one huge building, which is referred as "one-stop shopping mall for human services." Within the building, we have an elementary school (with more than 700 students), an elderly tower (with 160 apartments), a health center (with a mental health component), a little city hall, a community school (with English classes, recreation activities, summer camp, after school program, etc.).

This one-stop shopping mall concept has brought many positive results to our community, and I would like to see such a model become a reality in every Chinatown and perhaps even in every Asian community.

Why don't Asians have adequate mental health services? According to my impression, many Americans, used to regard us as the "okay" or "model minority." They came to our restaurants, tasted our foods, and talked to us a little, and then left. They would never picture or realize the miserable life of the restaurants workers, the laundry workers, and the female garment factory workers.

Another reason for the lack of effective services is because there are very few bilingual-bicultural mental health providers in the existing service delivery systems who could understand the common value systems and life stresses of the consumers.

During the past few years, we have been referred a lot of "chronic schizophrenic" Chinese from State hospitals. After years of intensive outpatient treatment and training programs, many of them are now holding jobs and are no longer dependent on the State hospital system.

Such a model has many advantages: one, this kind of comprehensive setting is very cost effective. For example, if someone from our community walks in to see one of our bilingual counselors, it would cost $28 per encounter, but one outpatient encounter would cost $50 from a teaching hospital nearby. If he happens to fall apart that night, hospitalization would cost another $300 for one inpatient bed per day. So it is not just a "nice" system for us but a very cost effective way to deliver services; two, our programs within such a system are controlled by a community board which is more responsive to the consumer's need and expectations; three, such a neighborhood health center (as provider of primary mental health care) greatly increases the accessibility and psychological acceptability of mental health services. This service model also enhances prevention, early case findings, and coordination of primary health care; four, the physical design of the mental health center in the same geographic location with other human services increases the program visibility and also fosters integrated treatment planning; five, activities with other service networks facilities can improve coordination of care for patients with multiple problems. Very few of my clients—patients would have just one problem. Most of them are having so many problems such as legal problem, housing problem, financial problem, mental health problem, health problem, etc. It's very important for us to treat the "body" and the "mind" under one roof.

What would we request from the government?

I have a list of 16 recommendations for the Federal Government and 10 for the State. Let me just focus on the Federal Government:

Number one, we would like the support for the creation of a minority mental health center division. ADAMHA should provide an annual budget to carry out its responsibilities and functions. More Asians should be appointed in the policymaking position.

Number two, we urge the ADAMHA to monitor more aggressively and to provide technical assistance to the State to implement affirmative action in the local communities.

Number three, culture specific models for service delivery should be developed and implemented in all Asian communities in the context of accessible primary health care or multiservice center settings.

Number four, we would like to have specific policy addressed to the newly uprooted Asian immigrants and refugees with appropriate funding and legislative authority.

COMMISSIONER SALTZMAN. Ms. Lee? I'm sorry—

MS. LEE. I cannot finish but I wish people would read my paper because it has the entire list.

Just one more thing. I would recommend that someone from the office can integrate all our recommendations within a month and then I would like to have a meeting with the representative from HEW, especially the ADAMHA administration, before July, before their summer vacation, if possible.

COMMISSIONER SALTZMAN. Well, we can't commit ourselves relative to HEW. I know your entire paper will be submitted as part of the record, won't it? With all the recommendations?

MS. LEE. Yes, my concern is we talk a great deal about needs and problems, what to do, what alternatives but very few followup, and that's the reason why I really would like to see that all those recommendations listed today will be followed up with a definite deadline.

COMMISSIONER SALTZMAN. We will seek to comply.

I know we placed serious time restraints on this panel as well as other panels, and I'd like equally, with great respect for my colleagues, to place time restraints on them. You have about 3 minutes for questions before the time for our next panel.

Mr. Chairman?

Discussion

CHAIRMAN FLEMMING. Commissioner Saltzman turns to me with that kind of an admonition because he knows that I'm constantly talking with my colleagues about our schedule here in fairness to everyone.

I'd just like to ask this question, and if you don't have an immediate response to it and would like to furnish it to us, I would appreciate it.

I'm very much impressed by what virtually every member of the panel has said about the failure to bring about an implementation of the provision of the law that calls for bilingual and bicultural resources at the community mental health centers.

I feel that when Congress passes a law of that kind, all of us have got some, got a real obligation to see what can be done to bring about its implementation.

Do you know of any situations where that kind of absence of bilingual and bicultural personnel has been pursued with the director of the community mental health clinic and not getting satisfaction, has been pursued further along the line? In other words, I'm interested in whether or not, in any situation, particularly where the members of your community are in need of this kind of service, there's been a real effort to put pressure on, to bring about an implementation of the law, and if you don't know of certain case histories where that has been tried, I would appreciate your furnishing it to us and then I would like to send your case history or history over to the Department of Health, Education, and Welfare and get comments from them to see if we can bring to a head what's wrong here in terms of bringing about an implementation of this provision of the law.

COMMISSIONER SALTZMAN. As former Secretary of HEW, I think our Chairman has a little bit of influence over there, so if you will provide that information to him, I think it would be helpful.

MS. LEE. There are a number of examples. It will be very easy to provide—

COMMISSIONER SALTZMAN. Well, if you could provide those case histories, I'm sure that will be helpful in terms of our pursuing it. Commissioner Freeman?

COMMISSIONER FREEMAN. No.

COMMISSIONER SALTZMAN. Mr. Nunez?

MR. NUNEZ. No questions.

Commissioner Saltzman. I want to thank you. I found this fascinating as I'm sure all of our colleagues did. Thank you very much for being here.

[Applause.]

Commissioner Saltzman. Our next panel will deal with community services.

Our first speaker on this panel, I see it says there Sandy but I have Sandra, is it okay if I call you Sandra?

Ms. Sandra Ouye, who is a member of the board of directors of Kimochi, Incorporated, a grassroots community organization serving the Japanese American elderly in San Francisco.

Ms. Ouye?

Presentation of Sandra Ouye, Kimochi, Incorporated, San Francisco, California

Ms. Ouye. Thank you, Commissioners.

Incidentally, "Kimochi" in Japanese means feeling.

The area that I'm going to address this afternoon is the area of community services for the elderly. And some of the areas of the elderly have been addressed in some of the previous panels so that I will not repeat some of those issues that have come up.

One of the things that I want to do first, though, is to clarify the perspective I'm going to present to you today. My perspective is basically from a grassroots, community-based organizational perspective, based on a philosophy of participation in the Asian American movement which started back in the 1960s. My experiences have been mainly in the San Francisco Bay area, in California, in the Japanese American community. Therefore, my comments would be mostly addressed to those areas.

I wanted to first indicate to you that I strongly support Tom Kim's statement yesterday in terms of his definition of Asian Americans. That it is, indeed, a political concept and a developing political clout and not a race. It is important to understand and respect the cultural diversities among the Chinese, Japanese, Koreans, Filipinos, Vietnamese, and Pacific Islander elderly.

Japanese American elderly say to me they are Japanese American before they become old. And when I am talking about the elderly, I am talking about persons over 55 years of age.

There are a couple of stereotypes that I want to kind of dispel to the members of the Commission. One is that we are not the quiet Americans, that Japanese Americans are not the model minority, and that Japanese Americans have not made it.

For some of you on the Commission, just for your own information, although I do know that Commissioner Flemming is well aware of this

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because he used to be the Commissioner on Aging, and that is that we have had a research project that was funded for a period of 3 years, and that was headed by Dr. Sharon Fujii on the Pacific/Asian elderly research project, which was completed in May of 1978.

Also, we have just received some funding from AOA in terms of a 7-month developmental grant to have four workshops on Asian elderly in New York, San Francisco, Honolulu, and Chicago.

Dr. Kenji Marase is the principal investigator and the director of that project is Louise Kawakami Swanson.

Now, dealing with the civil rights issues, I want to mention a problem and make recommendations to the problem that I mentioned. As a third-generation Japanese American, a Sansei, I was born in Tule Lake, a concentration camp, and it seems that most of my adult life I have participated in dealing with the civil rights of my people.

So that this is why I'm here and this is why that I would like to share with you some of the civil rights issues that affect our elderly.

The first is the need for accessibility of the elderly to information and direct services. And as it is now, there are many establishment agencies that are not providing culturally relevant services to our elderly. Therefore, back in the late '60s and early '70s various community-based organizations were formed throughout the Nation, on the west coast, specifically in the Bay area. Kimochi started back in 1971 for the Japanese elderly. Another group is the East Bay Japanese for Action in Oakland and Berkeley, California.

Another is the Pioneer Center in Los Angeles, California. For the Korean elderly, it has been the Korean Service Center in San Francisco. For the Filipinos, it has been recently the Manilatown Senior Center in San Francisco. And also three other senior centers in the Mission district in San Francisco.

For the Chinese, the program that has gained world—nationwide recognition is the Self-Help for the Elderly in San Francisco.

Many times these community-based organizations in seeking funding sources for direct service delivery have come across situations whereby it is much more feasible to the funding source for us to be affiliated with a large institution or a very credentialed, so-called credentialed institution such as a university.

And I will tell you, Commissioners, that we in the community may not have the credentials but we certainly have experience with our elderly. Therefore, my recommendation is that your Commission require the appropriate Federal, State, and local agencies to fund community-based programs based on evaluation and monitoring of the quality of the program, and I'm talking about quality of services, fiscal management, and units of service per dollar.

My second recommendation is the hiring of Pacific/Asian Americans or culturally sensitive persons to provide bilingual-bicultural services.

My feeling is that yesterday, that one of the panelists, Ms. Bok-Lim Kim was asked a question pertaining to the number of translators that you would want to hire in a bilingual-bicultural setting, and that it is not possible or realistic to hire a great number of those. And I think that we would all agree that, of course, that is not practical. However, one thing that people seem to forget is that when we talk about hiring bilingual-bicultural individuals, we are saying that we can also provide services to the Anglos as well as Asian Americans. And that we have people who are capable and competent to do that. And I would like to refer to a document that came out of the California Advisory Committee on Civil Rights, and I'd like to quote a recommendation that was presented to the U.S. Commission on Civil Rights, back in 1975, of which I participated in this hearing also in San Francisco.

The recommendation reads. "That the Advisory Committee recommends that all public social service agencies provide bilingual Asian American and Pacific People's outreach employees as well as printed material in Asian and Pacific languages." And I realize that that was back in 1975, and a lot of those things have not been implemented.

Another area in terms of a problem is the effect of the result of the *Bakke* decision on funding and affirmative action.

The recommendation I have is that the U.S. Civil Rights Commission monitor the Federal agencies to provide an equal opportunity for Pacific/Asian elderly. The other, in terms of problem areas, is in terms of specifically Japanese Americans. We are talking about the new elderly, the Nisei generation, the second generation who were the victims of concentration camps. We are finding that there are many problems and we would recommend that appropriate funding be given to agencies that will try to reflect those needs of the Japanese American elderly.

And in terms of the immigration answer, Bill Hing referred to yesterday the exclusion and deportation of elderly aged receiving SSI; I think he did make some recommendations on that.

In terms of the census, I want to support Fortunata Azores' comment she made yesterday to hire bilingual staff and that the thing, in addition to that, is that you've got to hire people from the community because our elderly won't even open the door if you don't have people that they're going to trust.

And that our recommendation would be that your Commission effectively monitor the U.S. Census Bureau on this.

And in closing, I feel it is incumbent on the Commission to seek methods to monitor their recommendations to the various Federal agencies, and therefore the question becomes, after you get all the information from all of us here today and yesterday: What will you do to make a commitment for our civil rights?

And I've appeared before many hearings, and I continue to do it because I believe in it, but the ultimate question is, in connection with your desire to be concerned with civil rights: What kind of power do you have?

Thank you.

COMMISSIONER SALTZMAN. Thank you, Ms. Ouye.

Dr. Lawrence K. Koseki is presently deputy director of Hawaii's Department of Social Services and Housing.

Dr. Koseki?

Presentation of Dr. Lawrence Koseki, Deputy Director, State Department of Social Services and Housing, Honolulu, Hawaii

DR. KOSEKI. Thank you, Mr. Chairman, members of the Commission.

My presentation is based on a paper which is essentially a case study of one agency in Hawaii. The presentation or the paper is an attempt to relate the issue of civil rights to the concept of affirmative action. Within this context, the paper presents detailed analysis of the agency's ethnic distribution of its employees as well as the recipient groups.

The paper also provides some analysis of the political leaders of the State, including congressional persons by ethnic backgrounds. I do also want to spend some time commenting on the concept of Asian American/Pacific Islander as it is used in Hawaii.

Then, in concluding my presentation, I would like to suggest several steps which relate to the civil service or merit system.

COMMISSIONER SALTZMAN. If you do not finish within the allotted time, sir, I'm sure you heard that all the material presented to us will go into the record and will be considered in the course—

DR. KOSEKI. Right, I understand that.

COMMISSIONER SALTZMAN. Thank you.

DR. KOSEKI. There are many things unique about Hawaii, the fact that it's an island State, separated from the U.S. continent, but one unique factor is that the population is so diverse that there is neither a white majority nor a single majority ethnic group. Although there are more Asian and Pacific Islanders living in the continental United States, the Asian-Pacific Islander group constitutes of 61 percent of the nonwhite population in Hawaii. Hawaii is also known as a place for immigrant and refugee settlement.

The concept of Asian American and Pacific Islander as an ethnic or even a political identity is rarely used or acknowledged by Hawaii's people. Rather, Islanders tend to identify themselves with their ethnic specific labels such as Chinese, Filipinos, Korean, Japanese, etc. Interestingly, even the "-American" is omitted.

The underutilization of the Asian American/Pacific Islander term may be due to a number of complex factors. However, given the lack of a minority-majority mindset and the possible lessened need to organize and coalesce with other minority groups to deal with a majority group, it is my conjecture that Hawaii's racial groups have generally tended to rely on their own specific racial identification. In spite of the so-called Pacific Asian "majority" among the State politicians, issues and problems are seldom addressed along racial lines. In fact, despite the voting patterns which reflect some racial preferences, it is commonly accepted that running for public office based on one's ethnicity is politically suicidal.

The power of the Pacific/Asian political leadership thus must be viewed within this context. It is my belief that if power is derived from financial resources and racism and discrimination are practiced for economic reasons, then we also need to take a hard look at Hawaii's economic and corporate structure to really understand the sources and dimensions of power.

But the fact remains that in the analysis that I have done within our department, the Japanese population is highly visible in State government and in some of the professions. And yet their visibility in government service must be viewed in an historical context. This is a point that Lawrence Fuchs made incisively in his book, *Hawaii Pono: A Social History.*

The Japanese at that time represented the largest single group before, during, and after World War II. At the same time, they were generally excluded from jobs in the private sector, in some of the professions, and from the Federal Government.

Armed with veterans' benefits to further their schooling and imbued with their parents' value on education, many of the Nisei veterans went off to college and upon their return, sought employment in the State civil services system, particularly in teaching.

The impact of this process was achieved in 1954 during the Democratic Party's landslide victory in which the political-social system of Hawaii was significantly altered.

The point to be made here is that there is a continuing residual effect of this social-political revolution which rippled through the third and fourth generation of the Japanese population. This, in part, reflects their current numbers, specifically in teaching, social service, public health, engineering, medicine, and dentistry. No doubt the large number of Japanese coupled with their educational attainment put them in a very visible position.

The department of social services and housing involves a number of programs, 86 to be specific; we have a budget of over $300 million, about 2,054 employees, and the types of service range from public assistance, medicaid, vocational rehabilitation service, public housing, corrections and parole.

The paper was aimed to take a look at the ethnic background of the employees as well as the recipient group. With the exception of the corrections division, Japanese constituted a majority in most of the major programs. Conversely, the recipient groups showed an almost reverse pattern where other groups such as the Pacific Islanders were heavily overrepresented.

This, to me, indicates a concern that the so-called yellow Asians have to be very sensitive about. Because Hawaii's people generally perceive others as well as themselves in ethnic-specific terms, the resulting impression is not that Asian Americans and Pacific Islanders are well represented, but rather the Chinese and especially the Japanese are overrepresented in the department of social service and in most other State jobs.

As I noted earlier, I think the ethnic distribution of the recipients is such that we need to be more sensitive to this imbalance. This can and has created tensions, strain, and intergroup conflicts among the various Asian and Pacific Islander groups as well as with white and other nonwhite groups.

In addition to the struggle to obtain access to employment opportunities, racial tension and intergroup conflicts are also generated by way of the provider-consumer relationship when the client's perception of the provider of services is predominantly of one ethnic group. And while a perspective of history is essential in understanding the present state of affairs, other issues must be examined.

One such factor is the merit system—a system that evolved out of a concern that government workers should not be vulnerable and subjected to political patronage. However, the development of the civil service system has become bureaucratic in view of its detailed rules, procedures, regulations, etc. But more significantly, the problem relates to the "minimum qualification" which calls for some form of credentials in education, training, and work experiences, which at times may be highly irrelevant.

And while the concept of the merit system is generally accepted by society, the question is: Are there other alternatives to which underrepresented groups can be included in the system?

Let me suggest some action alternatives. One is a concept that we have used in Hawaii and it may be applied elsewhere—a concept referred to as "selective certification." Selective certification deals with looking at the requirements of the job and tailoring the qualifications accordingly, such as for his/her bilingual capabilities; another is "geographic location" of the applicant's residence—implying the need for familiarity of the target community or service area.

Another alternative is to change or at least begin looking at the current minimum qualifications to see if they are related or relevant to the job duties. And lastly, what appears to be the most important are the intensity and level of sensitivity to one's own staff and looking at its ethnic composition. Thus, when the eligible list is referred from civil service, we need to examine the gaps and/or underrepresentation in filling vacancies accordingly. This will involve and affect all administrators and hiring authorities. This plea for a keen sensitivity is not limited to the white majority; it includes all of us as Pacific/Asians who have decisionmaking authority or are in the position to hire people.

Thank you.

COMMISSIONER SALTZMAN. Thank you, Dr. Koseki.

Now Dr. Kinzo Yamamoto, who is, at present, director of analysis and evaluation at HEW's Health Resources Administration.

Dr. Yamamoto?

Presentation of Dr. Kinzo Yamamoto, Director, Analysis and Evaluation, Health Resources Administration, Department of Health, Education, and Welfare

DR. YAMAMOTO. I thank you for the invitation to participate today.

I am a Federal worker as are some of those that have already appeared. My remarks will be focused on health manpower, and since there's a lot done on this subject, my comments will be short and I will provide the staff with the material that I brought in my briefcase.

COMMISSIONER SALTZMAN. Thank you.

DR. YAMAMOTO. As all of you know, health manpower data are not universally available, but given the nature of this conference, I thought that some selected Asian American and Pacific Island health manpower terms might be useful as kind of guidelines to what we're talking about on how Asian Americans are faring.

In medicine, for example, the total enrollment for, and may I use the abbreviated Asian American and for the entire Asian American and Pacific Island, the Asian Americans have increased from 1.1 percent in '68–69 academic year to 2 percent '76–77. In actual numbers, in other words, during this 2-year period, we have increased from 421 students to 1,177. This kind of increase is also reflected in other pursuits such as osteopathy, but I won't read those numbers.

In dentistry and in the major health professions that we call the MODVOPPS that is medical, osteopathy, dentistry, veterinary medicine, optometry, podiatry, and pharmacy, some might accuse the Asians of being the "super whites" or the most industrious students that you could find.

Thus, I'm here to examine that label because we must be careful of what that kind of inference might bring us. So let me briefly look at the track record and make some personal as well as policy examinations.

For example, in the private sector, the Association of American Medical Colleges at this time does not recognize Asian Americans as an underrepresented racial minority as far as medical school enrollment is concerned. That is, they are satisfied with the numbers of Asian Americans entering medical schools.

The Federal Government, on the other hand, includes Asian Americans in its health manpower thrust as a minority, and as a group subsumed under its definition of disadvantaged.

In some cases, then, the Federal policy does not exactly match with what the outside world is doing. The inclusion of Asian Americans as disadvantaged does not necessarily proffer them, however, in Federal programs, to any special benefits. Only that they are not omitted as part of the definition.

My personal speculation is that if the myth would continue, that our health manpower tack might change, and go in another direction. So, I, as an Asian American, feel that we need to do something about this homogenization of the concept of Asian Americans. I'm sure lots of people have spoken to the issue in the last day and a half here, and it's really a statistical category that lumps all of us together, and it has invented more problems than it has solved, in my view.

We should closely examine the Asian American success story of our increasing numbers in the several health professions. We should not be surprised that Japanese and Chinese Americans would capture a large proportion of students and graduates in the health fields.

But if you were a Samoan sitting out there in the audience or a Filipino or Guamese or Vietnamese or any other lesser numbered Asians which comprise the total category of Asian Americans, you would be fairly ticked off that you happen to be associated with the Japanese and Chinese. You may be sure that the artifact of the definition would cause you more grief than good.

I'm fairly certain that this has been repeated many times here. Thus, what we face here is a statistical homogenization that needs to be reexamined concerning health manpower opportunities or, for that matter, any kind of opportunity of the smaller Asian groups which should be separately examined. I would personally decry the assassination of Martin Luther King because he was trying not to have us separately go our various corners along with blacks or Hispanics. But for this consultation, I think we must pursue the current cards as laid before us.

Now let me make some observations that would, perhaps, lead to recommendations. As I had just stated, from the narrow perspective of the health manpower opportunities for Asian Americans, we are making some gains. However, these gains are clustered around the second-and third-generation Asian Americans and specifically Japanese and Chinese Americans.

Thus, first we need a special delineation and enumeration of the various Asian subgroups, and I think that should be something that would have to be taken to those clearance channels like OMB or the Census, etc.

Second, since our health manpower training opportunities should eventually provide some type of health care, we need to address the bilingual-bicultural phenomenon of provider and patient.

Here we must be concerned that any Asian provider cannot necessarily interface with all Asian patients. And in this regard, I will leave for the Commission the law, I shall not read it, that's Public Law 94–484, which is the Health Professions Educational Assistance Act of 1976, and section 904F which reads that, "the Health Resources Administration will provide Congress with a report on what we are doing on the bilingual-bicultural training." And we do have a report out, and I would ask this Commission to examine what we are actually doing in following up those endorsements and recommendations. Sometimes recommendations do surface or are actually forwarded, but in this case I don't see anything happening.

Thirdly, I think those of us who consider ourselves as active Asian Americans should respond to public appeals and notices for legislative and regulatory review. There are opportunities to comment on regulations that are published in the *Federal Register.*

In this sense, I think Asian Americans do not participate in sufficient numbers by providing public comments.

And finally, I endorse that which Pat Okura said previously, that we are trying to get Asian Americans as members in the various national advisory councils. I think this would be helpful.

I thank you very much.

COMMISSIONER SALTZMAN. Thank you, Dr. Yamamoto.

Our next speaker is Ms. Helen F. Hayes, who now serves as the director of the Chinese Cultural Center in Washington. Ms. Hays.

Presentation of Helen Fugh Hayes, Director, Chinese Cultural Center, Washington, D.C.

Ms. HAYES. Thank you, Commissioner.

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In the last 2 days much has been talked about the myths and realities of the Asian and Pacific American, therefore, since I work in the Chinese community here in Washington, D.C., I thought I would just give you a little background information of our operation and existence in these years and what we're looking for in the future to come.

The Chinese Cultural Center was opened without any funds in September 1970. At that time it was located at 740 Sixth St., N.W., on the second floor.

As a final result from a meeting organized by three concerned Chinese youths from Chinatown with some Chinese community leaders and the then-dean of the adult and community education division of the Federal City College to provide some, however small, technical assistance for the Chinese community, Federal City College responded very warmly with the space and small supplies for the Chinese center.

I and several other people volunteered, and we opened the Chinese center; the services in those days provided were English classes for the non-English speaking, family planning and health, citizenship classes, consumer and social security benefits, income tax preparation, and accompanying elderly patients to the city's medical clinic serving as interpreters.

Incorporated in January 1973 in the District of Columbia, the Chinese Cultural Center's corporate title is the Asian American Bicentennial Corporation. It is a multiservices and nonprofit, tax-exempt organization dedicated to promote better understanding between peoples of different cultures and to serve the needs of the Chinese community.

In April 1973 the Chinese center moved from Sixth Street to its present location, 711 Eighth St., N.W., room 179, a building adjacent to and owned by the Calvary Baptist Church. However, the Chinese center is an independent, nonchurch-related entity.

May 1975, seed money for the Chinese center came from the D.C. Cooperative Extension Services of the Federal College, which is today the University of the District of Columbia.

The center is composed of two organizations, the Chinese Cultural Center, AABC, and Chinese Extension Service Center, D.C. Cooperative Extension Service of the University of the District of Columbia.

Under the auspices of these two organizations, the center innovates and coordinates several programs: housing planning for senior citizens, families, and new commerce in the Chinese community. This is done in cooperation with the MultiFamily Services Inc. and D.C.D.C.; the Chinese Senior Citizens Club, with a membership of 246. hindering effectiveness We provide recreational activities; also at the Chinese

Center, CETA aides; hot lunch program 5 days a week, cosponsored by the Washington Urban League; legal services, immigration cases, citizenship applications, etc., that are coordinated with the Legal Neighborhood Services. And we also promote the Sino-economic community development for the Chinese business and the community, such as last year's summer street fair publication of map and guide book.

We did vocational counseling early this year, provided educational guidance, referral services for job training and employment, and this is done in conjunction with UPO and the city agencies.

The Chinese center for the coming summer will serve as host agency for the city's summer youth employment program. This is in cooperation with the D.C. Board of Trade, the D.C. Department of Labor, and we anticipate about 20 or more Chinese and non-Chinese Youths in this program. We will be providing training and counseling in employment and educational opportunities.

Everyday—let me talk about the youth. In 1975 the Chinese center had three 4-H national winners from the District of Columbia. And we were in Chicago. So it was an experience for these youngsters. Every day the center serves about from 50 to 60 persons through classes, hot lunches, and services, and then we get various requests for information and assistance.

In addition, the center offers free services, such as translation and cultural presentations for other organizations and city agencies. The Chinese center today still runs on a shoestring manner. We subsidize the limited D.C. Cooperative Extension Service funding. Other monies are coming from donations, self-help projects. We cater Chinese food for large parties; we recently just did one for the Asian Heritage Week at the Cannon Building and that money will be going to the elderly housing project.

And the ladies' club, they do Chinese tailoring, etc. and this is a self-help project that the center is sponsoring.

The center resides in two large rooms; its major equipment and resources consists of a Chinese typewriter and English typewriter, a refrigerator, a 16 mm. movie projector, tape recorder, a Dodge Maxivan, and a dedicated, hard-working, bilingual staff and volunteers and friends. For recommendations, we did an analysis this past year, the needs and assessment, which I'll just read briefly. "Coupled with the deficiency in English, is a general lack of understanding of the American way of life. The need exists to develop an awareness and understanding of such basic factors in banking policies and procedures, obtaining credit and responsibilities, proper use of capital, existing public health services in the city, personal budgeting, types of potential jobs and requirements for entering them, how to obtain U.S.

citizenship and resources for assistance in fulfilling the requirements. Social security provision and benefits, pension plans, house insurance.

I'll just cut time short and go to some of the suggestions—

COMMISSIONER SALTZMAN. You've got about 30 seconds.

Ms. HAYES. I'll just hand the rest of the paper to you.

COMMISSIONER SALTZMAN. Okay, thank you very much, Ms. Hayes.

Our final speaker is Victorina Peralta. Ms. Peralta has been the director of the adult and aging services division of the Philadelphia Department of Public Welfare since 1974. Ms. Peralta.

Presentation of Victorina Peralta, Director, Adult Services, City of Philadelphia Social Services Department

Ms. PERALTA. Thank you, Mr. Chairman.

In the interest of time, I shall confine my presentation this afternoon to a brief summary of some of the eight concerns I wish to call to the attention of this Commission. However, I am submitting for the record the full text of my testimony.

The topic assigned to me this afternoon is "State and Local Policy." I, as a social worker, born and raised in the Philippines, came to this country in 1964, firm in the belief that in this rich and powerful country, which was to be my second home, there is equal opportunity for the goods of the society regardless of race, color, creed, or ethnic background. That was 14 years ago.

Today I can say without the least doubt of hesitation, that where the needs of Pacific/Asian Americans are concerned, those democratic ideals about equal opportunities regarding access to services, availability of resources, as well as social and health supports for Pacific/Asian Americans, are indeed a myth rather than a reality.

For, indeed, the policies in this country are rather discriminatory, regressive, and punitive where the needs of Pacific/Asian Americans are concerned.

And to back up my statement, I refer to the findings of outstanding Pacific/Asian American researchers, among them Dr. Sharon Fujii, who made a study on a national level on the needs of Asian American elderly in 1978. I was part of that advisory board which helped put said study together with Dr. Fujii.

I also refer to the study made by Bok-Lim Kim of 1974, of Juanita Tamayo Lott, 1976, Harry Kitano, 1975, William Lui, 1973, Juanita Burros, 1977, and many others who have documented the fact that the needs of Asian Americans and the Pacific Islanders are not being served.

Pacific/Asian Americans are underserved and unserved. In particular, let me share with you the experience we have in Philadelphia, a city of the first class. I will confine it to the area of aging since Dr. Flemming and I worked very closely in that field when he was the Federal Commissioner on Aging.

We have the Philadelphia Corporation on Aging which is responsible for allocating State and Federal funds and for coordinating and planning services to the aging. When we approached them to secure funds for services to the Asian American elderly in 1975, their response to us was, "Where are those Asian American elderly? We have not seen them. We don't even know they're around." Philadelphia Corporation on Aging [CPA] is a private, nonprofit agency handling public monies.

So I did a "Potentialities and Needs Study of Asian American Elderly in Greater Philadelphia" 1978. We got money from Chicago, mind you; the project had to be funded from Chicago to do a study in greater Philadelphia. I was the principal investigator and my coinvestigator was Dr. Herbert Horikawa.

Our study showed that Asian American elderly, Pilipinos, Chinese, Japanese, and Koreans in Greater Philadelphia are not receiving services that are theirs by right. We presented the facts to PCA. We gave them a copy of the study. For the record I am submitting herewith, as a part of my testimony to the Commission, a copy of that study as document B to my testimony,"Potentialities and Needs of Asian American Elderly in Greater Philadelphia–1978." At that time the Philadelphia Corporation on Aging told us, "But we have no new monies coming in; we cannot fund any new programs."

This is, indeed, the type of very systemic, subtle kind of discrimination that we are receiving, based on the policies of both local, State, and Federal Government.

Now let me give you some other examples of how these policies are indeed discriminatory, regressive, and punitive in nature. Let us take the Title XX comprehensive social service plan. The regulations require that there should be a hearing in order that people can have input in the development of this comprehensive social service plan.

The announcements are made in English, in very fine prints, usually at the last page of the newspapers. The hearings are conducted in English. How do we expect the Asian Americans and Pacific Islanders, particularly the non-English speaking, to have an input in this process when they do not speak or read English?

Sometimes Pacific/Asian Americans do not even want to participate in these hearings even if they speak English for fear of being harassed or even made fun of because of our "funny accent."

In the policy of allocating funds, the basis for funding is the 1970 census. The Bureau of the Census in 1970 admitted that they undercount minorities, and yet that census continues to be the basis for allocating funds to communities.

Let us take, the SSMs [social service memorandums]. Those of you who are in the field of social work, particularly in administration, I'm sure you get this very voluminous amount of SSMs—the social service memorandums. These social service memorandums spell out the regulations and interpret them. Even those of us who are lucky enough to have a good education have a hard time interpreting these SSMs because they are written in such a confusing English language. For instance, as the director of the county welfare agency, I, myself, have to call up Washington or Harrisburg to get further clarification on these SSMs. How can our Asian American and Pacific Islanders participate in the process when even those of us who are lucky enough to break into the system due to our aggressiveness and due to our push, still are confused with these SSMs, which we get continually with the guidelines which likewise continue to change?

We implement the program according to the guidelines. Within 2 months or so we get another SSM changing the guidelines, and so we continue to shift and change and shift and change; in the process, we, the Asian Americans and the Pacific Islanders, are shortchanged.

Now, in terms of the merit system, the policy is that to be able to get into the decisionmaking process or to be an employee within the city, State, or Federal Government, we have to take the civil service test. I'm glad I passed that test. But very few Pacific/Asian Americans do because—these tests are discriminatory in nature, due to the language that are used, and the way those tests are structured.

I saw you make a sign that I have only 1 minute.

COMMISSIONER SALTZMAN. One minute left.

MS. PERALTA. Okay, for the record, I have here my 16-page testimony that I am submitting to the Commission marked Document A. Since this is a form of dialogue, I would like to end my presentation with a question directly to Dr. Flemming.

I chose Dr. Flemming because I have very high regards for him. Doctor Flemming, you're always honest and you do have unquestionable integrity in my opinion. The $64 question I ask is this: There has been a 3-year study with a lot of money put on the national project on Asian and Pacific Island Americans which was supposed to have become the Civil Rights Commission's statutory report to the President and Congress showing aspects of discrimination affecting Asian and Pacific Island Americans. What happened to that report? One of my colleagues, Bobby Santos from Seattle, asked that question this morning, and I heard, if I am right, that this 2-day consultation will take the place of that report.

Dr. Flemming, no way can a 2-day of consultation take the place of a 3-year extensive study that was supposed to have been submitted as a report to Congress and to the President. For the record, we ask you, Dr. Flemming: What happened to that report? Will it be made available and will it still be among the reports to be submitted to the President and to Congress?

Thank you very much.

[Applause.]

COMMISSIONER SALTZMAN. Thank you, Ms. Peralta.

I will recognize Dr. Flemming to respond, but I do want to remind our—my colleagues that it is 4:00 p.m., some of us, unfortunately, have planes to make or other transportation commitments.

Dr. Flemming.

Discussion

CHAIRMAN FLEMMING. First of all, may I express my appreciation for the presentation made by this, the members of this panel. It seems to me you have identified and tied together in a very fine way, some of the basic issues that we have been taking a look at.

Second place, may I assure all of you that this consultation is not an end in itself. This consultation has been held for the purpose of bringing together the kind of evidence that has been presented to us, and as I indicated yesterday afternoon, this testimony will be evaluated and the Commission, colleagial body, will then determine what its next step will be.

In determining its next stop, it will likewise take into consideration and evaluate any staff work that has preceded this consultation, and that staff work will be reflected in any decision we make as to our next stop.

I did point out, without making any commitment at all, that one of our normal next steps is to work on the development of what we tend to call a monograph. I referred to the fact that some of the members that have participated in this consultation did participate in the consultation on battered women, and we are now in the process of developing a monograph which will contain findings and recommendations and will be addressed to the President and to the Congress.

And certainly there is no doubt in my mind but that the members of this panel and the members of other panels have identified the issues in the civil rights field which should be explored further, which should be discussed by the members of the Commission, and which, on the basis of those discussions, should lead to findings and recommendations in one form or another; it may be a monograph or it may be some other kind of a document, should lead to findings and recommendations that will, in turn, go to the President and to the Congress.

And, of course, those recommendations often that are addressed to the President, often include specific recommendations to other departments of the government, but we address the other departments of the government through the President.

And I think that you have probably gathered from the questioning that has taken place here, and with the requests that have been made by members of the Commission for additional information, that certain issues have been put on top of the table, that we intend to follow through on it, intend to get responses from the departments and agencies of the government.

And we are in a position where we can get those responses.

We normally have to difficulty in getting it simply by requesting it, but we have authority if we have to exercise the authority to subpena information that we need in order to make up our minds. So that this consultation, with the additional information that we'll get as a result of the issues that have been identified here, plus the other staff work that has gone on in this area, will all be brought together, considered by the Commission, and used as a basis for determining what findings, what recommendations to make to the President and to Congress.

That is the way the process will operate. The—I'd like to make this general statement, that I, first of all, want in behalf, not only of the Commission, but I think in behalf of all of those from the Asian/Pacific American community, who have participated in this process, express deep appreciation to the staff of the Commission that organized this consultation.

As some of you, most of you undoubtedly know, the members of this Commission all have other assignments; this is a citizens commission in the fullest sense of the term. Consequently, it is not possible for them to take a great many days out of their other assignments for any given hearing.

A great deal has to be worked in to a fairly short period of time. And I feel that the staff of the Commission has done an excellent job along that line, but I know that they've been able to do that job because of the kind of cooperation that has come from leaders of the community, the ideas, the suggestions that have come from the members of the community. And I know finally that we've been able to have this kind of an experience together because of your willingness to respond to, to prepare papers, to come here to make these presentations.

Now, I want to underline this, we do not take—I believe—the comment that we make to you when you're not able to complete a presentation in the time allotted, that we are going to have your complete paper made a part of the record of the consultation. This means that we will give consideration to the paper and to the evidence that has been incorporated in the paper.

I'm going to make one final comment growing out of one observation on the part of another member of the panel, which related to, in effect, it was kind of rhetorical question: What is the authority of the Commission?

And as I've listened to some of the comments, I've realized that there's some confusion on this, and some of your minds just as there is in the minds of a great many other persons. This unique body; we have no enforcement authority of any kind. Our role is a role of identifying basic issues, making studies, conducting hearings or consultations, weighing the evidence, and making findings and recommendations to the President and the Congress. That's one of our major roles.

The other major role is to monitor what departments and agencies of the Federal Government that have responsibility for enforcement of civil rights laws are doing; to make studies, conduct hearings, and once again, make findings and recommendations to the President and to the Congress.

Once we have publicly issued a report, we do not let it rest there; we endeavor to followup on it, but our role is essentially a leadership role, that's what it has been for the last 21 years. We cannot implement anything that we—that we recommend. We try to develop an understanding of our findings and recommendations, try to develop support for those findings and recommendations.

When something is issued growing out of this consultation, and out of the other staff work that has gone on in this particular area, including findings and recommendations, if they are to be implemented will be very dependent on how the members of this community respond and how the members of this community followup on whatever findings and recommendations we make.

We'll be following up also, but we'll need your help and your assistance.

VICE CHAIRMAN HORN. Mr. Chairman, I agree with your comments on staff. I think this was an excellent, well-rounded presentation and I, too, am grateful for the willingness of the witnesses to compress their oral testimony to 10 minutes, especially when we had any number of college professors who are used to talking in 50-minute modules. I know that's a very difficult assignment.

I share your concern about the comment I did hear from one witness, earlier this afternoon, the worry that we have said this before, we have said this to Federal and State bodies, and will this be simply another report that gathers dust on the shelves?

That's a legitimate concern and I think the Chairman's remarks as to the role of the Commission, I hope clarify that.

I think we should also remember that what we are talking about here in terms of solutions for many of the problems you describe might also be the solutions for the problems other minority groups describe. Indeed, other people in society who are not members of minority groups also face problems in terms of low-income housing, the need for social services in a timely manner, so forth. Ultimately, there are one of two places those questions get resolved. They get resolved in a political process, whether it be executive or legislative or they get resolved in a judicial process. I would include within the executive process the bureaucratic-administrative process.

And I am always conscious as one Commissioner, and I think all my colleagues agree with this, that we do not want to raise false expectations as to what this Commission can do.

All we can do is try to focus on matters as the Chairman suggests, to make findings and recommendations, and from time to time, to try to educate a broader public which I think is important if you are to be successful in the political-administrative-bureaucratic process.

Court action is something else. You do not necessarily need a broader public to sustain court action, although that can be helpful. And I'm glad that this dialogue has occurred on the record, because I do not think anyone should be misapprehensive that as much as each of us might like to wave a wand and would willingly wave it, that the problems will be easily solved. It means that you have to talk to elected representatives and people running for office and you've got to keep after them not just let them promise you something during a political campaign, and use you, if you will, with all the hokey symbolism that we see in California and the Nation. You've got to keep after them and let them know what are you doing every day. Then perhaps you will achieve a little bit of progress in these areas.

The powers are there, it's a question of the executive, be it national, State, or local, using the will to carry those powers out.

Ms. PERALTA. May I respond to the comment made by Mr. Horn. Those of us who are here are very well aware of our responsibilities as Asian Americans. We would not be here otherwise. However, there are two sides of the question just as there are two sides to a coin. We will continue to do our part, but we expect the Commission also to join us in this effort and make sure, and I'd like to repeat, that this 2-day consultation recommendations are not going to gather dust; we hope further that this is not a token kind of a consultation wherein we are brought together to appease our advocacy at different levels.

We also hope that this is really something that the Commission will take seriously and that you will keep in touch with us because we are ready to support you, but we need your support, likewise, in our efforts towards improving our quality of life.

VICE CHAIRMAN HORN. You don't have to worry about it gathering dust with this Commission, your worry has to be again—and that's the phrase that bothers me, "gathering dust," I'll admit it; your worry has to be that when we issue the report and issue the recommendations, that when we followup with our monitoring process every month or so and ask some assistant secretary in a Federal agency what have you done to carry out the recommendations, and we get, in return, a bureaucratic euphemistic letter and we again followup, then your problem has to be to help us deal with the political authorities to whom those individuals report and with the Congress. We can't do that. We are prohibited from lobbying.

MS. PERALTA. We are aware of that, Mr Horn, and that's why we want to make sure that since this is a dialogue, we don't want to end it up with some kind of a paternalistic attitude: we being lectured upon and being instructed as to what our obligations are.

We know what our obligations are. We also know what our responsibilities are, but at the same time we hope that this consultation is taken seriously so that it is not just a token or just an exercise in futility or just a going through the process. That's what we want to ensure.

VICE CHAIRMAN HORN. If it wasn't taken seriously, we wouldn't be here.

MS. PERALTA. Thank you very much. That goes for us, too.

If you, we do not take our responsibilities seriously, we will not also be here, sir. Thank you very much.

CHAIRMAN FLEMMING. Just one moment, so that we're sure that we understand one another. No one was attempting to indicate what—we never attempt to indicate what the responsibilities of this or any other group may be. But we've learned from experience that it is very important for persons to understand what the role of the Commission is.

MS. OUYE. Mr. Chairman, Commissioner Horn just left and I'm sorry that he did but one point that you may relate to him in terms of just information is that his point of political organizing in terms of dealing with the politicians and so on is one well taken, and I assure you that in the Asian American communities, this is a growing kind of thing, and that there are very many organizations, people here today are participating in organizing a political organization throughout the Nation.

CHAIRMAN FLEMMING. I, you know, as I listened to the testimony over the last 2 days, I sensed that this was something that was evolving as I listened to the various witnesses and I appreciate your comment.

MR. NUNEZ. I have several announcements and I, too, want to compliment our staff for the very fine job they did. As you may know, we changed the date for this consultation at the request of many of the Asian groups present here today. This change in date caused problems in rescheduling, inviting people to come and making all the numerous arrangements to bring you all in from all parts of the country.

So I think it was a job well done.

For those of you who are staying at the Harambe House, there is a bus waiting to take you back there at 4:15, which is now.

There are publications still available. All of those who have not registered, please register. Place your name on the register with your address. We want your name and address so that you can be assured of getting a copy of the proceedings of this consultation when we have completed it.

Thank you again for being with us. I think it's been a very worthwhile experience for us on the staff, the Commissioners, I'm sure, and I trust it has been for you also.

Thank you again.

[Applause.]

[Consultation adjourned.]

State and Local Public Policy Issues in Delivering Mental Health and Related Services to Asian and Pacific Americans

by Kenji Murase, D.S.W.*

Introduction

This paper is concerned with the general issue of equity in access to and utilization of mental health and related services by Asian and Pacific Americans. More specifically, the paper will address the question of how State and local units of government may act to respond to the problem of inequity for Asian and Pacific Americans in their access to and utilization of mental health and related services.

This paper draws heavily upon two major sources: (1) the "Report of the Special Populations Subpanel on Mental Health of Asian/Pacific Americans" submitted to the President's Commission on Menth Health (President's Commission on Mental Health, 1978) and (2) "Study to Develop Improvement in the Bilingual/Bicultural Components of Mental Health and Human Services Delivery," prepared for the National Institute of Mental Health by Urban Systems Research and Engineering, Inc. (Urban Systems Research and Engineering, 1978).

Part I provides a brief description of the composition and population of Asian and Pacific Americans and an assessment of their mental health status. Part II discusses the problem of underutilization of mental health and related services by Asian and Pacific Americans and delineates barriers to service utilization. Part III focuses on measures that may be undertaken by State and local governments to improve the utilization of services by Asian and Pacific Americans. Part IV is concerned with State and local measures for improving the delivery and relevance of services for Asian and Pacific Americans.

I. The Mental Health Status of Asian and Pacific Americans

Demographic Factors

Asian and Pacific Americans, including Cambodians, Chinese, East Indians, Guamanians, Hawaiians, Japanese, Koreans, Pakistanis, Pilipinos, Samoans, Thais, Vietnamese, and other Asian and Pacific peoples, now number close to 2 million. The 1970 census reported a 56 percent increase over the 1960 census figures for the three major Asian groups—Chinese, Japanese, and Pilipino. This trend is likely to be reflected in substantially larger increases in the 1980 census, as Koreans and Pilipinos continue to be among the largest groups immigrating to the United States today. Currently, it is estimated that 60 percent of all Chinese residents, 70 percent of all Pilipino, and 90 percent of all Korean residents in the United States are immigrants or high risk populations. Perhaps the most vulnerable of all recent newcomers to this country are the more than 150,000 Indochinese refugees.

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The marked increase in the Asian and Pacific American population, especially since 1965, has created a fluid, rapidly changing mixture of peoples. In the first 100 years of Asian and Pacific American immigration to the United States, the newcomers were primarily Chinese, Japanese, and Pilipino. In the past 10 years there has been a dramatic increase in other groups, such as Koreans, Samoans, and Guamanians and others from Micronesia, East Indians, Indochinese, and others, as well as a new wave of Pilipinos. This rapid increase in new Asian and Pacific American immigrants has resulted in significant differences between the old and the new Asian and Pacific Americans. The Asian and Pacific American populations are generally becoming more heterogenous as new immigrants alter the composition and cultural unity of the total Asian and Pacific American population. For example, new immigrants from Hong Kong may have little in common with the Chinese immigrants who arrived in the United States several generations earlier. Their differences reflect differing levels of acculturation, changing international relations, immigration from different parts of the old country, and the impact that present day immigration has upon newly immigrated families.

The Mental Health Status of Asian and Pacific Americans

The popular stereotype of Asian and Pacific Americans is that they are intelligent, law-abiding, quiet, loyal, hard-working, and model Americans. There is widespread belief that Asian and Pacific Americans do not suffer the discrimination and disadvantages associated with other minority groups. The consequence is that in spite of recent efforts to promote civil rights and equal opportunities for ethnic minorities in the United States, Asian and Pacific Americans have been largely ignored by governmental agencies, educational institutions, private corporations, and other sectors of the society.

The facts, however, are that Asian and Pacific Americans are victims of the same social, economic, and political inequities that have victimized blacks, Hispanics, and Native Americans. For a substantial proportion of Asian and Pacific Americans in this country today, particularly among the elderly and immigrant populations, ghetto existence and chronic conditions of poverty remain their only way of life. Asian and Pacific Americans are therefore confronted today with very real questions of survival related to such problems as below subsistence levels of income, high rates of unemployment or underemployment, substandard housing, inferior education, inadequate health and social services, problems of drug abuse and delinquency among their youth, and the insidious and demoralizing effects of prolonged states of alienation and powerlessness (Murase, 1977).

The consequences of living and coping with such conditions are that Asian and Pacific Americans—particularly recent immigrants, youth, and the elderly—are extremely vulnerable to severe stress. Studies show that Asian and Pacific Americans tend to endure stress and come to the attention of mental health services only at the point of acute breakdown or crisis. For example, in Sue's study (1977) of Greater Seattle, Asians were found to have a far higher proportion of the diagnosis of "psychosis" than any other group. Among Asian patients, 22.4 percent were diagnosed as "psychotic" compared to 12.7 percent of white patients, 17.6 percent of Native American patients, 13.8 percent of black patients, and 14.5 percent of Chicano patients. Berk and Hirata (1973) reported that Chinese Americans have been admitted to State mental hospitals in California at a rate greater than that for the general population for the 100-year period, 1855–1955. They also found a dramatic increase in rates of Chinese commitment from 82.1 per 100,000 persons in 1855 to 161.2 per 100,000 in 1955. Males, aged and foreign born, were reported to experience substantally greater increases in risk of commitment than females, the young, and native born.

Brown *et al.* (1973) also found that the severe mental health problems in the Chinese community tended to be those of immigrants. In comparing a sample of Chinese patients with a randomly selected control group, while the Chinese were found to be less likely to utilize existing mental health services, those who did tended to be more disturbed than Caucasian patients. In a study based on a student population, Sue and Kirk (1972) found that Chinese and Japanese students expressed greater feelings of loneliness, isolation, and anxiety than others in the general student body. Hinkle's study (1974) of the mental and medical status of a group of immigrant Chinese revealed major social dislocations and disruption of important interpersonal relationships and a greater frequency of morbidity. Other research have indicated that Asian and Pacific Americans experience value conflicts and more anxiety, loneliness, and passivity than Caucasians

(Ayabe, 1973; Fong and Peskin, 1969; Meredith and Meredith, 1966; Fenz and Arkoff, 1962; Sue and Frank, 1973).

II. Issues in Utilization of Services by Asian and Pacific Americans

The Problem of Underutilization of Services

The serious problem of underutilization of services by Asian and Pacific Americans has been well documented. Sue (1975) found in his study of 17 community mental health centers in the Greater Seattle area over a 3-year period that, although Asians were 2.4 percent of the population, they represented only 0.7 percent of the patient population. Moreover, the dropout rate after the initial intake session for Asian patients was 52 percent or almost twice the dropout rate for white patients. In Los Angeles County, which has the largest concentration of Asian and Pacific Americans, the Asian admission rate to its mental health services in 1971 was 0.9 percent of the patient population, although their representation in the county was close to 4 percent (Hatanaka *et al.*, 1975). In San Francisco, a report of its community mental health services program shows that for the 7-month period, July 1976–January 1977, in its Northeast Mental Health Center, which includes Chinatown, although the Chinese make up 29 percent of the catchment area population, they constituted only 10 percent of the patients served. For the city as a whole, although the Chinese are close to 10 percent of the population, they make up only 2 percent of the patients served in mental health programs.

Huang and Grachow (1974) report that there appears to be a consistent pattern of Asian Americans doctoring themselves, using folk remedies, or resorting to traditional modes of treatment such as acupuncture and seeking the services of a physician only when they experience an acute episode of illness and then only for immediate relief of symptoms. Whatever the source of care, the number of Asian and Pacific Americans utilizing available health resources for preventive care is extremely low. For example, the Asian American field survey (1977) indicated that among all the Chinese surveyed, more than 20 percent of the children and about one half of the adults had never had an eye or dental examination. Moreover, 23 percent of the adults had never had a physical examination during the period 1965–73 when the survey was conducted. In a study of the Chinese community in Boston, Li (1972) reports that 61 percent of a sample of Chinese did not have a private or clinic physician. Breslow and Klein (1971) in a California study on the utilization of services by Chinese Americans and other minorities, reported that only 65 percent—the lowest of all groups—of Chinese Americans had a regular doctor. Consistent with these findings is the report of the White House Conference on Aging (1972) of a study which showed that 34 percent of the Asian and Pacific American aged who were interviewed had never had a medical or dental examination.

For an analysis of the problem of underutilization of services by Asian and Pacific Americans, it may be useful to conceptualize the problem in terms of: (1) cultural and linguistic barriers to service utilization, and (2) structural/institutional barriers to service utilization.

Cultural and Linguistic Barriers to Service Utilization

The low service utilization rates of the Asian and Pacific American population may be attributed in part to certain cultural values and practices which are characteristic of many Asian and Pacific American groups. Superimposed upon these values has been their long history of encounters with racial discrimination in this country. Together they may help account for not only the comparative restraint and silence of Asian and Pacific Americans, but also their reluctance, even in the face of dire need, to turn to providers of service for assistance.

Among the most compelling of the cultural values common to most Asian and Pacific American peoples is the notion that one's capability to control expression of personal problems or troubled feelings is a measure of maturity. Such control of self-expression, in turn, is related to concepts of shame and pride, which are also paramount values that govern the behavior of Asian and Pacific Americans (Ho, 1976). Thus, the Asian and Pacific American client may perceive services, such as counseling, as shame-inducing processes and will undergo extreme stress when asking for or accepting help from anyone outside the family. In most Asian and Pacific American groups, if a personal problem or issue is not resolved within the confines of the family and requires outside intervention, the family is viewed as losing face. While there may be variations among Asian and Pacific American groups in response to outside intervention, there is uniform reluctance for individuals to seek professional help.

Structural/Institutional Barriers to Service Utilization

Basically, the structural/institutional barriers to service utilization by Asian and Pacific Americans are deeply embedded in the racist history, traditions, and practices of the larger society. From this legacy of racism there has developed a series of impediments to the utilization of mental health and related services by Asian and Pacific Americans. Among them are the following:

Resistance to employment of bilingual-bicultural personnel. —Subparagraph D of section 206(c) (1) of Public Law 94–63 requires assurances from a community mental health center with a:

> substantial proportion of individuals of limited English speaking ability that it has (i) developed a plan and made arrangements responsive to the needs of such populations for providing services to the extent practicable in the language and cultural context most appropriate to such individuals and (ii) identified an individual on its staff who is fluent in both that language and English.

The failure of community mental health facilities to comply with such existing statutes results in limiting full access to and availability of their services to Asian and Pacific American populations. Noncompliance also results in denial of employment opportunities to qualified bilingual-bicultural persons in Asian and Pacific American communities (Nguyen, 1977).

Tokenism in employment of bilingual-bicultural personel. —Related to the problem of the lack of bilingual-bicultural personnel is the problem of tokenism when such personnel are actually employed by mental health facilities. In practice this takes the form of employment of a minimum number of such personnel who are then widely dispersed throughout the system. Experience has shown that when Asian and Pacific Americans are employed and deployed as teams or units, rather than singly, their visibility and effectiveness as service providers as well as their utilization, are greatly enhanced (Sue and McKinney, 1975; True, 1975; Wong, 1977; Hatanaka, 1975).

Maldistribution of Asian and Pacific American service providers. —There are at present substantial numbers of Asian and Pacific American mental health clinicians—especially psychiatrists—who are practicing in areas where there are relatively few Asian and Pacific Americans. These clinicians are unable to practice in States with large Asian and Pacific American populations due to training and licensing restrictions which apply to graduates of foreign medical schools. For example, California has approximately 50 percent of the Asian and Pacific American population of the United States but only 5 percent of the Asian and Pacific American psychiatrists (Sata, 1977).

Restriction on credentials/licensure. —Among newer Asian and Pacific American communities are recent immigrants from Indochina, Korea, the Philippines, Samoa, and Guam. They have not had an opportunity in this country to acquire the necessary training to obtain the credentials or licensing required for employment. Many have had professional training in their native country but are unable to qualify for licensure in this country without additional training (Sue and Chin, 1976). Because of the acute need for trained personnel for services to new Asian and Pacific American communities, changes in credentialing and licensure requirements are necessary to assure a sufficient supply of such personnel.

Service confinement to catchment areas. —Asian and Pacific American populations are not wholly concentrated in inner-city or urban areas. Many reside in scattered locations or suburban areas which may cover several service catchment areas. In many instances, bilingual-bicultural service providers are unavailable in their own catchment area and travel over long distances becomes necessary. In effect, because their service needs can only be met by bilingual-bicultural providers, many Asian and Pacific American patients are denied access to services. Flexibility in interpretation and enforcement of the catchment areas concept seems essential for Asian and Pacific American communities.

Ignorance of natural support systems. —Natural support systems are crucial linking and helping mechanisms in Asian and Pacific American communities. They are comprised of: (1) an informal network of community caretakers, such as ministers, shopkeepers, bartenders, barbers, and community elders who have gained a measure of trust and respect for their community work over the years, and (2) community institutions such as churches, hometown clubs, family associations, mutual aid societies, and similar groups. The natural support systems perform a significant service in helping to maintain and sustain in their own communities the elderly, the disabled, the alienated, and the needy. Yet these natural support systems are for the most part overlooked or ignored by the larger service delivery system as a resource. The advantages of utilizing natural helpers and the natural support systems are that they are already in place and are being used by community persons in need. Integration of the natural support systems into the formal service delivery system is clearly indicated.

Exclusion from third party reimbursement for services. —Related to the natural support systems of Asian and Pacific American communities are culturally traditional forms of care—e.g., acupuncture, herbs, massages, meditation, holistic healing medicine, family maintenance in the care of the ill, aged, and handicapped. Such forms of care are frequently the preferred modes of treatment by Asian and Pacific Americans and mechanisms for reimbursement for providers of such culturally relevant and ethnically specific services should be developed.

III. State and Local Measures for Improving Planning and Administration of Services

Introduction

Title VI of the Civil Rights Act of 1964, which applies to all State agencies receiving Federal financial assistance for public programs, prohibits discrimination on the basis of race, color, or national origin. To date, the Federal Government has not defined in more specific terms the requirements of this act with regard to health and mental health, or social services to Asian and Pacific Americans and other minorities. However, a gradual recognition of the needs of bilingual-bicultural people as a distinct group is evidenced in legislation passed since the 1964 Civil Rights act, such as the Voting Rights Act of 1965 and the Bilingual Education Act of 1968 and 1974. In the mental health area, the Health Revenue Sharing and Health Services Act of 1975 required community mental health centers serving a substantial proportion of individuals of limited English-speaking ability to make administrative, programmatic, and staffing arrangements which are responsive to the language and cultural preferences of such individuals. The Health Professions Education Assistance Act of 1976 echoed these requirements and also mandated studies to ascertain the appropriateness of health professions schools' admissions criteria for bilingual-bicultural applicants, and the adequacy of culturally sensitive training in health professions schools which service bilingual-bicultural populations.

State statutes follow Federal initiatives in relation to (1) provision of information in languages other than English, e.g., voting rights, and (2) bilingual education. However, in the health and human services area, State legislation addressing bilingual-bicultural needs is very limited. In addition to State legislation, administrative and judicial rulings have affected service delivery to bilingual-bicultural populations. The civil rights office of the department of health in California has developed guidelines based on Title VI for the nondiscriminatory provision of mental health services to bilingual-bicultural clients by local mental health centers. In California, Connecticut, and Illinois individuals and groups have successfully brought suit against the State providers of public services on the ground of discrimination against bilingual-bicultural minorities in violation of Title VI and similar action is under consideration in other States.

In the constellation of governmental structures—Federal, State, regional, and municipal—the State performs a critical role in determining the nature of mental health service provision. Through its financial contributions to and concomitant control over service provision and through its administration and disbursement of Federal funds, State government is a major instrument for the definition of the quality and quantity of service available to minority populations. Also, due to its more localized political base in contrast to the Federal Government, State government is able to take actions on behalf of specific population groups, such as Asian and Pacific Americans. To plan for such action, however, there needs to be an adequate data base, as will be outlined below.

Measures to Improve Planning and Evaluation of Services

State planning mechanisms must be made more sensitive and more responsive to the special needs and cicumstances of Asian and Pacific Americans. The following measures are proposed to facilitate the planning and evaluation of services and programs to respond to Asian and Pacific American concerns.

Collection of data on bilingual-bicultural needs.

A basic first step in the process of planning for services is collection of data on the use, effectiveness, and efficiency of various service delivery modalities for meeting the mental health and related needs of Asian and Pacific Americans. For purposes of data collection, the smallest unit of government reponsible for generating mental health plans on a regular basis—usually the county—should be designated as the unit of analysis. As part of the data required of these units for purposes of the mental health planning process, the State agency charged with the planning authority should require, at a minimum, the following data elements: (1) ethnic category, (2) primary language spoken, (3) age, (4) sex, (5)types of referral, (6) disability category, (7) residence, (8) type and number of service units, (9) type of providers, (10) final diagnosis.

In addition to the elements listed above, it would be useful to include additional administrative data elements which would further describe the current delivery of services to Asian and Pacific Americans. These are: (1) primary language and language abilities of service providers, and (2) contracts made available to Asian and Pacific American community-based organizations.

In those areas in which Asian and Pacific American groups constitute less than a specified proportion of the total population—e.g., 3 percent—a waiver should be applied to nullify the data collection requirements. In areas where Asian and Pacific American groups constitute at least 3 percent of the population, however, data collection requirements might be imposed by either legislation or State mental health agency administrative regulations. Such regulatory or legislative policy might go beyond the requirement for data collection to stipulate that planning units must submit in their plans not only data summaries, but also analyses of comparisons of Asian and Pacific

American service utilization to representation in the population and plans—methods, goals, and timetables—for addressing any discrepancies in utilization.

Establishment of an Asian and Pacific American commission.

A commission composed of representatives of Asian and Pacific American communities could be charged with investigating and reviewing the types, extent, and utilization of mental health and related services for Asian and Pacific Americans. This commission would advise the State administration on regulations, policies, problems, and areas of concern with regard to appropriate and adequate service provision to Asian and Pacific American communities.

The scope of such a commission's areas of responsibilities might be extended to include all human services. Such a commission was recently created by the State of Massachusetts, which assigns to an 11-member body an advisory role in the area of Hispanic employment opportunities, economic development, education, health, welfare, housing, human rights, and other services. Washington, Michigan, Nebraska, Oregon, and Illinois currently have in operation Spanish speaking and/or Asian American commissions in similar roles.

At a minimum, such a commission should be provided with the resources and the authority to engage in State agency monitoring of existing State-funded mental health and related programs and facilities. Findings should be made public and reported annually to the State health planning agency and the State legislation and State executive. The commission should be given authority to hold public hearings and to review and withhold approval of the annual State mental health plan, thereby requiring a response by the State planning agency. An alternative to the creation of an Asian and Pacific American commission might be the development of an Asian and Pacific American citizens' advisory commission, with representation from a broad cross section of the Asian and Pacific American community.

Representation of Asian and Pacific Americans on public bodies.

On the premise that Asian and Pacific Americans are more likely to be aware of the needs of their people and that they have the right to be represented in bodies which govern the availability of services to them, legislation or regulation stipulating the composition of such bodies should ensure equitable representation of Asian and Pacific Americans.

Measures to Improve the Administration of Mental Health Services

Through legislation or regulatory directives, the administration of mental health and related services could be modified to improve the quality of such services. Some possible measures that could be adopted would be the following:

Establishment of an Asian and Pacfic American office within the State Human Rights Agency or Commission. —If enforced, the existing Federal and State laws and regulations governing the provision of mental health and human services would result in services more responsive to the needs of Asian and Pacific Americans. Therefore, there should be staff within the State human rights agency, or functioning as a separate entity, which monitors the compliance of all State agencies with the statutes.

State human rights agencies currently have varying degrees of authority to withhold Federal or State funding on the basis of discriminatory practices or impact. The OMB-95 review system constitutes one mechanism for State agencies to review and make recommendations on the civil rights impact of Federal funding proposals. With respect to State funding of programs, civil rights agencies may have more clearly defined authority to review, although in practice they seldom assume the role of initiating complaints and monitoring of operating programs tend to be haphazard.

California recently enacted a law—AB 803—which formalizes a process for monitoring compliance with nondiscrimination statutes. This law requires that all State agencies adopt rules and regulations which ensure nondiscrimination in the provision of funds and services. Agencies providing services in an amount greater than $100,000 per year must develop regulations in compliance with the spirit of Title VI and Title IX of the Federal Civil Rights Act, and analagous California law expressing the intent that no person shall be denied participation in or access to programs or agencies receiving State financial assistance on the basis of sex, race, or national origin.

Staffing guidelines for mental health and related services. —In view of the earlier cited documentation attesting to the importance of bilingual-bicultural staff for maximum utilization of services by Asian and Pacific American populations, there needs to be State and local provision for such staffing. Laws responding to the need among bilingual-bicultural recipients of services for service providers to communicate in the recipients' primary language are of two types: The first type requires bilingual staff, regardless of cultural background and is more feasible than the second type which requires bilingual *and* bicultural staff, for two reasons. First, the idea that a bilingual-bicultural individual has a right to receive services in a language he or she can comprehend is more generally acceptable than the concept that only a person of the same culture can provide appropriate services to bilingual-bicultural individuals. Secondly, the shortage of professionals who are both bilingual and bicultural would make a law of the second type practically unenforceable among service providing agencies.

A California law—AB 1258—requires the hiring of "a sufficient number" of bilingual staff in public contract positions when non- or limited-English speaking people comprise at least 5 percent of the clients of any State agency which disseminates information or renders services. Programs, facilities, or agencies with a defined catchment or service area must hire bilingual staff when the population of that geographic area is a least 5 percent limited-English speaking. For programs, facilities, or agencies with no specific geographic boundaries, e.g., State hospitals, the 5 percent threshold is based on the number of clients actually served. The California law does not distinguish between professional and nonprofessional staff categories. It does require that sufficient bilingual-bicultural staff be employed to provide the same level of service to both non-English-speaking and English-speaking clients. The exception would be any agency which employs less than 25 full-time employees—authorizing, in this case, the use of interpreters.

Analysis of the California law reveals that it fails to address the needs of Asian and Pacific Americans in several respects. Setting of a threshold of 5 percent of the client population may exclude large numbers of Asian and Pacific Americans where the proportional percentage may be under 5 percent, but the absolute numbers of clients could still be substantial. In a large agency, 4 percent of the client population might represent a large absolute number of Asian and Pacific Americans, yet as a proportional percentage, Asian and Pacific Americans would not qualify for bilingual-bicultural staff. For populations such as Asian and Pacific Americans which tend to be scattered across catchment areas, there should be a minimum threshold in terms of absolute numbers as well as in proportional terms.

A similar Illinois statute enacted in 1975 requires the department of personnel to establish an unspecified number of occupational titles "for persons having sufficient linguistic ability or cultural knowledge to be able to render effective service" to "non-English speaking or otherwise culturally distinct citizens." By addressing the issue of culture as well as language, this law seems to go beyond the California law.

Necessary components of any bilingual staffing law consist of: (1) the identification of a triggering mechanism for requirement of bilingual staffing, (2) specification of types of positions to be filled by bilingual staff, and (3) delineation of procedures for hiring such staff. The triggering mechanism should be designed to reach as many linguistically minority clients as possible, without being so all inclusive as to render implementation of bilingual staffing impossible. The December 1977 *Guidelines for Community Mental Health Center*

Services for Minorities, from the National Institute of Mental Health, in addressing the need for bilingual staff, defined that level in terms of the language: "if a population constitutes more than five percent or more than 3,500 persons in the catchment area." The guidelines also say that it is the responsibility of the community mental health center to meet the need for services of "any individual of limited English speaking ability." Another precedent has been set by the office of civil rights of the California Department of Health in a discrimination action brought against a San Francisco hospital in relation to the provision of services to Asian Americans of that community. That office of civil rights has set a population level of 3 percent of the total population as the threshold above which services must be provided bilingually for limited-English-speaking clients.

Based on a review of existing bilingual staffing guidelines and expert opinion, it is proposed that any bilingual staffing law should include the following conditions and definitions:

1. When at least 3 percent of the population of a service area, or 3,500 people (whichever number is less) belongs to a given linguistic group and has limited or no English speaking ability, public contact positions in public service facilities must be filled by staff who reflect the linguistic composition of the service area population.
2. A public contact position can be defined as one in which at least 25 percent of working time involves contact with clients or potential clients.
3. Bilingual certification should be required as a component of the job description for public contact positions.
4. Bilingually certified staff in public contact positions who spend at least 10 percent of their time using their special language skills should be compensated additionally for these skills. (California currently provides additional remuneration of $30 per month to bilingually certified staff).

Promotion of training opportunities for bilingual-bicultural students. — Whether due to limited educational opportunities, lack of role models, lack of information regarding career opportunities, institutional discrimination in the educational process, the high cost of education, or other factors, bilingual Asian and Pacific Americans with training in mental health and related services are lacking. In addition to the scarcity of bilingual Asian and Pacific American service providers, the maldistribution of such providers exacerbates the inaccessibility of services for Asian and Pacific Americans. Therefore, any initiatives intended to remedy the scarcity of bilingual Asian and Pacific American mental health and other professions must address both manpower shortages and maldistribution.

One proposal which could address both these issues is development of a linguistic minorities health service corps modeled on and training programs the national health service corps legislation. States could identify critical mental health manpower shortage areas with high concentration of minorities to be served by trained mental health professionals whose training has been partly or wholly funded by such a program.

State governments might also address the shortage of bilingual-bicultural mental health professionals by exercising financial control over educational institutions which receive State support. The State could require that financial support and special recruitment, admissions, and retention programs be made available to bilingual-bicultural students. A recent survey (Sata, 1977) of Asian American psychiatrists indicating that 41 percent of their patients were minority group members lends support to the value of increased training opportunities for bilingual-bicultural minorities.

Another approach would be to develop a system of apprenticeship training programs in mental health specialties which could award academic credit for inservice training. Such programs would not be restricted to bilingual-bicultural persons but would particularly benefit Asian and Pacific Americans for whom higher academic training may be a financial impossibility. For such programs to be successful, State mental health professions licensing boards would have to establish standards for approval of apprenticeship as training equivalent to traditional academic programs.

Not only must there be expanded training opportunities for Asian and Pacific Americans and other bilingual-bicultural groups, but also the regular training of mental health professionals must be designed to increased their sensitivity to the needs of bilingual-bicultural populations. Mental health training programs in States with significant bilingual-bicultural populations should include coursework dealing with the special mental health problems, the culture-bound value systems, and the perceptions of health and mental health among bilingual-bicultural peoples.

The California Legislature is reported to be currently considering a resolution which addresses the need to recruit and train bilingual-bicultural health—and legal—professionals. ACR 43 requests the California Postsecondary Education Commission to develop and submit to the legislature and other appropriate bodies plans which "further the admission, preparation, and training of persons for primary care and services in all areas of health and legal professions who are bilingual and culturally sensitive."

States can also intervene through their licensing powers to change requirements for qualification. Licensing standards could be amended to include requirement of coursework in culturally sensitive aspects of bilingual-bicultural mental health problems. Further, State licensing examinations for mental health and other professions might include a component designed to assess the cultural knowledge and sensitivity of examinees.

IV. State and Local Measures for Improving the Delivery and Relevance of Services for Asian and Pacific Americans

Introduction

In the material to follow, proposals will be made directed to improvements in both the delivery of mental health and related services and the relevance of mental health and related services for Asian and Pacific Americans. These measures will be concerned with issues of: (1) prevention, (2) access to services, (3) community involvement, and (4) culturally relevant treatment modalities.

Prevention Measures

In the concern to respond to crisis situations or survival needs of Asian and Pacific Americans, relatively little attention is given to the issue of prevention of problems of mental illness, family breakdown, and individual dysfunctioning. The following measures are proposed to prevent such occurrences:

Community development programs. —The mental health system or any system of human services cannot be expected to solve societal problems which create the stresses and strains that produce mental illness. However, insofar as mental health systems directly engage people at the community level, mental health programs can contribute to community development and community education activities which, by improving the living environment of the community as a whole, serves an important preventive function. Among community development activities in Asian and Pacific American communities that mental health programs should support and collaborate with are efforts to expand employment opportunities, obtain adequate low-cost housing, secure quality education, establish child care facilities, provide sufficient recreational facilities, and related activities directed to improvement of the quality of life.

Orientation program for immigrants. —Asian and Pacific Islands immigrants would benefit from orientation programs which would assist them in negotiating the "system" of social services and help them with the cultural adjustment problems they encounter (Huey, 1974; Lee, 1977). If the mental health facility lacks sufficient resources for such acitivities, religious or other community groups might be encouraged to take responsibility for them (Abad, *et al.,* 1974).

Client advocacy functions. —A critical role for mental health professionals should be advocacy for clients, linking up clients with other agencies and institutions, and getting community agencies to respond to basic and tangible client needs. Early intervention in life-stress situations will not only prevent further serious problems but also establish the mental health program's trust and credibility in the community.

Involvement of natural support systems. —A consultative relationship established with preexisting caregivers such as doctors, ministers, teachers, merchants, community elders, and others would provide the basis for an effective referral network (Cohen, 1979; Murase, 1977). The natural support system may also be utilized as a resource in the ongoing and long term continuing care maintenance of certain patients.

Access Measures

Lack of access to mental health services is, in effect, denial of such services. Inequity in access is a general problem faced by limited- or non-English-speaking Asian and Pacific Americans. Various measures can be taken to remedy or alleviate the problem of access to services.

Availability of bilingual-bicultural staffing. —As indicated earlier, State legislation can make mandatory the availability of bilingual-bicultural staffing when the limited or non-English speaking population of a service area exceeds a certain proportion, (e.g., 3 percent) of the total service area population, or a certain number of persons, e.g., 3,500.

Availability of interpreters and materials in primary languages. —Where bilingual staffing is not available, the presence of interpreters and relevant printed materials and forms in the primary language of limited- or non-English-speaking Asian and Pacific Americans would counteract the sense of alienation experienced upon entering mental health facilities, as well as to ensure their understanding of their rights, obligations, and procedures.

Integration of mental health services in medical settings. —The experience of the Chinese community of Boston (Lee, 1977) demonstrates dramatically that where mental health services are integrated into a medical care giving system, entry into the mental health system is eased and accelerated. Conjoint health and mental health delivery has been shown to improve casefinding, coordination of care, long term followup, and preventive educational efforts to meet specific population needs (Borus, *et al.,* 1976).

Community-based facility. —An ideal facility which would maximize access and utilization for Asian and Pacific Americans would be one which combines the attributes of: (1) central location within the commmunity being served, (2) flexible hours of operations, (3) drop-in services, (4) compatible physical—architectural and interior design—features, and (5) multipurpose use for community social, recreational, cultural, and educational events, as well as health services.

Outreach through ethnic media. —Community outreach in the primary language, both spoken (radio) and in print, is essential in Asian and Pacific American communities. Special outreach measures should be directed towards "at-risk" groups, such as Indochinese refugees, American servicemen's wives from Asian and Pacific countries, recent immigrants, and individuals with physical or developmental disabilities, as well as mental health care needs.

Community Involvement

An essential condition for effective delivery of services and relevance of such services is involvement or participation of the Asian and Pacific American community. This may take any or all of the following forms.

Sanction of community leaders. —A decisive factor in a community's acceptance of a mental health program would be the attitude of its leaders. The approbation of community leaders—their acknowledgment that the program and its staff are trustworthy—could make a critical difference, not only in the use of the services but also in the relationships of the facility with other organizations and institutions in that community (Abad, *et al.,* 1974).

Community participation in planning and operations. —A mental health center may not be "tolerated" if the community does not have a significant role in its planning and operation (Scherl and English, 1969). Community involvement from the point of planning to the administration of the facility will contribute to a program that is responsive to the needs and expectations of the individual clients, as well as the community at large.

Use of indigenous paraprofessionals. —To the extent that the staff of a mental health center is drawn from the immediate community, its credibility and effectiveness may be enhanced. Paraprofessionals from the community could be utilized not only to alleviate the shortage of trained bilingual-bicultural mental health professionals, but also to bridge the differences between the cultural context of the client and that of the institution (Brown *et al.,* 1973). Paraprofessionals may be particularly helpful in fostering community outreach, early casefinding (prevention), continuity of care (e.g., home visits), and involvement of the natural support system of the community.

Culturally Relevant Treatment Modalities

Various studies have shown that when visible, culturally relevant programs for Asian and Pacific Americans are provided, there is a significant increase in the utilization of such programs (Sue and McKinney, 1975; Wong, 1977; True, 1975; Hatanaka, 1975). Attributes of such programs include one or more of the following characteristics:

Flexibility in use of treatment modalities. Cultural resistance among Asian and Pacific Americans to traditional modes of treatment requires extreme flexibility in adapting treatment to the unique perceptions and values of individual patients. For example, the multifaceted view of mental illness among the Chinese includes religious, moralistic, cosmic, physiological, social, and genetic factors (Lin and Lite, 1978). Among recent immigrant Asian and Pacific Americans, mental health problems are likely to be related to current life-stress circumstances and the therapist must deal immediately with these circumstances at the time of their occurrence. In such situations, formal long term therapeutic procedures would be totally inappropriate.

Treatment within the family context. Among Asian and Pacific Americans, the family represents a dominant structure, and problems stemming from acculturation of mainstream lifestyles are often manifested in the family structure. Therefore, staff should be sensitive to the need for family-focused treatment in which the family is involved in acknowledging illness, authorizing treatment, and conducting treatment (Murase, 1977).

Treatment within the community context. Reference has already been made to the important function of the natural support system within Asian and Pacific American communities. Therefore, individual treatment programs should take into account the possible role and contribution of the existing indigenous formal and informal community care or support systems, such as local churches, family associations, hometown clubs and district associations, credit associations, and other institutions, and community caretakers such as ministers, doctors, teachers, elders, merchants, etc.

Interdisciplinary holistic treatment. Ideally, interdisciplinary teams should be available to facilitate holistic treatment of multifocused problems, incorporating health, mental health, and social services staff. Such comprehensive services would address the spectrum of problems confronting Asian and Pacific American clients, particularly the psychosocial-cultural determinants of mental health problems. For chronically ill patients who lack social support systems—e.g., family—the interdisciplinary team might create a psychosocial kinship network that could provide a substitute support system (Lin and Lin, 1978).

Summary

In this paper we have attempted to address: (1) the general issue of equity in access to and utilization of mental health and related services by Asian and Pacific Americans, and (2) the role of State and local governments in reducing inequities in access to and utilization of services by Asian and Pacific American communities.

The paper presented a brief summary of salient demographic factors regarding Asian and Pacific American populations and the mental health status of Asian and acific Americans. It then discussed the general problem of underutilization of services by Asian and Pacific Americans and delineated the barriers to service utilization in terms of cultural and linguistic barriers and structural/institutional barriers. This was followed by a discussion of: (1) State and local measures for improving the planning and administration of services to Asian and Pacific Americans, and (2) State and local measures for improving the delivery and relevance of services to Asian and Pacific Americans.

It is hoped that this paper will serve to focus attention upon the role and responsibility of State and local government in improving mental health and related services to Asian and Pacific American communities.

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Equal Rights and Equal Opportunities

by K. Patrick Okura*

There is a widespread belief that Asian and Pacific Americans do not suffer the discrimination and disadvantages associated with other minority groups. The stereotyping of Asian and Pacific Americans as a success model among minority groups by virtue of hard work, education, thrift, and initiative has lulled the general public into an attitude of "benign neglect" to the extent that Asian and Pacific American concerns are considered secondary to the problems of the other minority groups. The general public, as well as our Federal Government, fails to understand that, except for the common facts of immigration and residence in the U.S., Asian and Pacific Americans represent a heterogeneous and complex group.

The successive waves of Asians who have come to the United States have experienced a repetitive history of labor exploitation, blatant discrimination, and violence. The Asian Americans responded to this overwhelming racism by withdrawing, accepting, uncomplaining, and simply being "quiet Americans." This quiescence has penalized them harshly since it fostered the attitude of benign neglect among public and private officials to the extent of excluding Asian and Pacific Americans as a significant minority group. The fact is that despite recent efforts to promote civil rights and equal opportunities for ethnic minorities in the U.S., Asian and Pacific Americans have been largely neglected and ignored by governmental agencies, educational institutions, private corporations, and other sectors of our society. This has been further compounded by the paucity of Asian Americans in policy and decisionmaking, high administration and management positions in government and private industry. Examples:

- Anti-Asian bias in P.L. 95-507. Asian and Pacific Americans have been excluded as a protected minority under the definition of "socially and economically disadvantaged" in this Public Law 95-507, which gives preferential treatment to federally designated minorities in awarding government contracts. Selection of blacks, Hispanics, and Native Americans are specified.
- When the President's Commission on Mental Health was established, not a single Asian or Pacific American was named among the eight minorities appointed to the 20-member Commission.

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These are only two blatant examples in just this past year, in spite of our efforts to promote equal opportunities and civil rights for all ethnic minorities.

From a mental health perspective, programs in the area of health, education, welfare, housing, employment, immigration, manpower, rehabilitation, aging, children, all have significant and major impact on the Asian and Pacific American community.

The Asian and Pacific American group consists of more than 4 million people who now reside in this country and who are victims of many of the same social, economic, and political inequities that have victimized blacks, Hispanics, and Native Americans. The guarantee of equal opportunity for all persons regardless of their race, sex, color, religion, or national origin is a national goal, legislated into law and affirmed by the highest courts in the land.

We request and urge the U.S. Civil Rights Commission to encourage and assist Federal agencies to implement such laws and programs. This is a responsibility which should not be lightly considered by this Commission. We seek no special privileges; all we seek is equal rights and equal opportunity.

The Delivery of Mental Health Services to Asian and Pacific Americans

by Steven P. Shon, M.D.*

In this paper I will attempt to address some of the major issues involving the delivery of mental health services to Asian and Pacific Americans (AAPA).

It is estimated that by 1980 the AAPA population of the United States will exceed 3 million people. This is especially impressive when one considers that in 1970 the AAPA population was reported to be 1.5 million. Much of the reason for this dramatic increase is due to the changes in immigration laws in the mid-1960s, which had the effect of shifting immigration away from Western Europe and predominantly toward Asia, the Pacific Islands, and Latin America. This tremendous increase in immigration, coupled with the large numbers of Indochinese refugees who have been entering this country since 1975, creates a situation where at least half of the AAPA population are immigrants. This has important implications in the delivery of services which will be discussed later.

One of the first things that one must be aware of in order to understand Asian and Pacific Americans is the great diversity of people that are included under the AAPA designation. Included are Chinese, Japanese, Pilipinos, Koreans, Samoans, Guamanians, Vietnamese, Cambodians, Laotians, etc. Although there may be some shared philosophical, religious, and other cultural commonalities, the differences are often as striking as the similarities. One cannot deliver mental health services to AAPA without being cognizant of the differences as well as the similarities, for what may be appropriate for one AAPA group may not be appropriate for another. Thus, the planning of services for AAPA must include all AAPA groups who will be reached by those services if they are to be appropriate and relevant.

The field of mental health in this country is concerned with the treatment and prevention of a broad range of emotional problems and disorders. It is a field whose approach is still predominantly based on the medical model of disease and illness. However, there is no field of medicine where culture and value systems make so much difference as in the field of psychiatry and mental health in general. While the practitioner of physical medicine may use objective tests such as blood chemistries and X-rays to make judgments and interpretations about the physical well-being of his patient, the mental health practitioner does not have the benefit of such objective types of measures. The mental health practitioner makes interpretations about human behavior and interactions, but those interpretations are ultimately based upon the value system and cultural beliefs of the society that the practitioner is from. This may work out well when the client shares the same values and lives in the same culture, but may be far from satisfactory when the client comes from a different culture, with a different value system and world view.

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The psychiatric medical model, upon which many of our current mental health concepts are based, is derived from a Western European philosophical base. It is a product of the scientific method, whose developmental roots begin in the European Age of Rationalism in the 16th century. The approach of scientific rationalism is a reductionistic one (that is, in order to understand something, one attempts to break it down into its component parts). It also believes in orderly, natural laws which govern the actions of all things. The scientific approach has had great technological impact on our modern world. All modern technology, which we so easily take for granted, is the product of this way of thinking. Although most people who live in the Western world do not realize it, it shapes the very way they look at the world and how it works. That is their world view. However, people from Asian and Pacific cultures come from traditions, very often several thousands of years old (as opposed to several hundred in the Western world), whose patterns of belief, value systems, and world view may be extremely different. The judgments and interpretations that Western mental health professionals make about AAPA may be totally inappropriate to the cultural context of AAPA and, therefore, erroneous. Unfortunately, those erroneous judgments can have serious negative consequences.

I would like to discuss some examples of how quite disparate cultural points of view between Asian and Pacific Americans and mainstream American society create conflict within the mental health arena. The issue of family versus individual is one major example of this conflict.

The family plays a very important role in most AAPA cultures unlike in American society where family bonds are much looser and one thinks primarily of the nuclear family of parents and children. In American society the individual breaks away from the family to go his own way. The ideals of individuality, independence, and self-sufficiency are stressed by society. Life is considered in terms of the individual, beginning with birth and ending with death. Within the life of the individual there tends to be an emphasis on the "here and now."

However, the tradition of most Asian and Pacific American cultures tends to place a great emphasis on the family as the central unit rather than the individual. Within the framework of time, which is seen as a continuum with a long past and long future, it is the family that is the unit of life that moves through this continuum. The family has a life that goes all the way back to the beginning of time and will go all the way to the end of time. The family name exists throughout history and will exist throughout all history to come. The implication for the individual is that all the actions in his life will reflect on all the ancestors that have ever existed in the family and on all future generations. Thus, the individual's actions reflect on the family past, present, and future. One can, therefore, understand the implications of mental illness and its stigmatic effect on the whole family line.

Traditionally, each of the family members has fairly specific roles and functions which are based on concepts which may date back several thousand years, e.g., Confucian ideals of the family. If all members function as they are supposed to, there exists a mutual interdependence among all family members. Family members are tied together throughout their lives, and different generations may live together in the same home. The American mental health professional often sees AAPA individuals from traditional families as pathological, based primarily on their own unconscious cultural bias of what is appropriate for mainstream, middle-class white Americans. AAPA children are frequently labeled as "dependent," family members as "overprotective," and relationships between family members as "symbiotic." This is not to say that emotional disturbances do not exist, for they certainly do, but the mental health system all too frequently compounds problems by misinterpretation of both normal and abnormal behavior, and interactions because of cultural ignorance.

Another area of cultural disparity that creates difficulty for AAPA people in contact with the American mental health system is the area of communication. American society tends to promote directness, openness, and honesty as its stated ideals. However, within the tradition of most AAPA cultures, communication is governed by many very complex variables. Among them are age, status, role, familiarity, concepts of obligation, shame and "loss of face," and many others. The area is so important and sensitive that the use of go-betweens is an important part of the tradition of many AAPA groups. Without knowledge of these important variables, many American mental health professionals make interpretations based upon their own cultural views and value systems around communication. Most psychotherapies rely primarily on direct verbal communication and, therefore, this style of communication tends to be highly valued by mental health practitioners. Because of this, AAPA people are often seen as "quiet," "passive," "nonexpressive," and overall "resistant." In actuality there may be many messages being communicated, but not in the direct, verbal manner that American mental health professionals are used to. For example, AAPA parents have at times been seen as uncaring and unloving of their children because they have not been observed to express those feelings openly and verbally or through physical contact in front of therapists. These types of inappropriate interpretations by mental health people who are not knowledgeable about AAPA communication styles are further reflections of the insensitivity and cultural ignorance of the overall mental health system.

The issues of family and communication style are only two of many examples of how the American mental health system does not effectively deal with Asian and Pacific American peoples because of cultural biases. It is, therefore, not surprising that studies of mental health centers in various parts of the country such as Seattle (Sue and McKinney, 1975), Los Angeles (Hatanaka et al., 1975) and San Francisco (Report of the San Francisco Community Mental Health Services, 1977) show that various AAPA groups grossly underutilize mental health services in proportion to their population. The Seattle study also showed that when AAPA do seek services, they tended not to return after the first contact. The underutilization of services by AAPA does not mean that AAPA do not have mental health problems. Studies in Seattle (Sue, 1977) and in the California State mental hospitals (Berk and Hirata, 1973), and the experience of the Richmond Maxi-Center in the San Francisco community mental health system show that the AAPA people who do use mental health services tend to be more disturbed (based on diagnosis) than other groups. This would indicate that most AAPA only turn to mental health services when problems are extremely severe and that there are many who need mental health services, but are not utilizing the American mental health system. This is confirmed by the experience of many mental health professionals working with AAPA who note that people will usually only seek services as a last resort when things are extremely bad and all other resources, especially within the family, have failed.

In the preceding pages I have very briefly sketched some of the main issues that I see as problems of Asian and Pacific Americans in obtaining useful and relevant mental health services. A much fuller discussion of these and other important issues may be found in the President's Commission on Mental Health subpanel report entitled, "Mental Health of Asian/Pacific Americans" (Report to the President from the President's Commission on Mental Health, 1978). The solutions to the problems discussed earlier are obviously complex and must, therefore, as I perceive them, occur at many levels. In the following pages I will attempt to delineate some of these solutions.

First, I believe it is essential that AAPA be involved in all levels of decisionmaking processes to ensure that AAPA needs are identified and that services provided are appropriate and relevant. It is important that consumers, provider, and overall community input be elicited and adhered to in the decisionmaking process. As stated earlier, because of the diversity of AAPA groups, it is important that there is representation from all AAPA groups who will be affected by such decisions, and that input be obtained in the very beginning of planning as well as in the ongoing operations.

Because of the fact that AAPA come from cultures whose philosophical, religious, and cultural world views are quite different from the Western world, it is essential that there be bicultural service providers that are from the AAPA groups being served. A mental health service provider who does not understand the cultural context of his client cannot effectively serve him. As noted earlier, a good half of the AAPA population are immigrants and English is not their primary language. Many are monolingual. Because of this it is quite obviously important that service providers for this population have bilingual as well as bicultural capacities. Therefore, in order that AAPA be guaranteed the right to appropriate services, bilingual-bicultural staffing must exist. Furthermore, staffing must be more than just a token gesture and must exist at all levels of service provision systems.

There is some legislation, such as subparagraph D of section 206 (c) (1) of Public Law 94–63 which states that:

> in the case of a community mental health center serving a population including a substantial proportion of individuals of limited English-speaking ability, the center has (i) developed a plan and made arrangements responsive to the needs of such population for providing services to the extent practicable in the language and cultural context most appropriate to such individuals and (ii) identified an individual on its staff who is fluent in both that language and English and whose responsibilities shall include providing guidance to such individuals and to appropriate staff members with respect to cultural sensitivities and bridging linguistic and cultural differences.

Most community mental health centers have failed to comply with such legislation and thereby limited the right of many Asian and Pacific American peoples to appropriate services and treatment. It is, therefore, important that the Federal Government develop mechanisms to enforce the compliance of such existing legislation, for without enforcement it is useless.

Not only has the mental health system failed in its service to AAPA peoples by not providing bilingual-bicultural services, but also the system of mental health training in this country has failed to produce enough well-trained bilingual-bicultural mental health professionals. The great shortage of bilingual-bicultural personnel will not be alleviated until major steps are taken in the area of mental health training to address the problem. The issue is well described in the AAPA subpanel report to the President's Commission on Mental Health (Report to the President from the President's Commission on Mental Health, 1978) which states:

> Traditional training programs in the mental health disciplines of psychiatry, psychology, social work, and psychiatric nursing have not significantly increased the number of Asian and Pacific American graduates nor adequately equipped them to serve the mental health needs of Asian and Pacific American populations. The vast majority of the traditional training programs have been lacking in the necessary expertise, interest, and qualified AAPA staff. They have tended to provide little opportunity for contact with Asian and Pacific American clients and communities. This situation indirectly discourages Asian and Pacific American trainees interested in working with Asian and Pacific American populations and denies these students the necessary training during a critical phase in their professional careers.

Because of the lack of resources to train AAPA mental health professionals, both within and across mental health disciplines, I would see a necessity to pool resources so they may be effectively focused on such training. This could be done by the development of regional Asian and Pacific American multidisciplinary mental health training centers. These centers could also render comprehensive mental health services to target AAPA populations as well as provide consultation to other mental health service agencies and training institutions. The training within such a center should include continuing education, bilingual-bicultural training, fieldwork experience, specific training seminars, curriculum development, recruitment, research, and evaluation. They should also include a board of directors representative of AAPA communities.

An essential aspect of such a program is that it should be *community based.* Links to university-based training programs and community mental health centers would be vitally important, but it is crucial that the autonomy and self-determination of such AAPA training centers be preserved.

The development of such centers would require a commitment of training funds designated for the development of AAPA mental health service providers. Funding should provide for training in all mental health disciplines as well as for paraprofessionals and should include support for training centers, faculty costs, stipends, and continuing education.

The issue of recruitment is clearly of major concern if there is ever to be an increase in the number of bilingual-bicultural mental health personnel. The establishment of regional multidisciplinary training centers would be one means of recruitment and would make mental health work a visible career alternative. However, for recruitment to be successful it must be long range and would have to be instituted at the early public school level. Mental health educational programs beginning at the elementary school level would be helpful for this purpose. School educational programs, especially those that stress prevention, would be very important in AAPA communities and have as dual benefits a means of raising mental health consciousness and a way of promoting interest in the mental health field as a career. This would be particularly important for AAPA communities because of the great many cultural taboos and stigmas associated with mental illness. Because current recruitment mechanisms are either nonexistent or totally inadequate, there must be a conscious and specific effort at both the State and national level to create recruitment mechanisms which will identify, inform, and select potential AAPA mental health service providers.

There is a large body of literature that shows that culture does make a difference in mental health. It is an important factor not only in service delivery but also in understanding the etiology, incidence, and symptomatology of mental illness. With the rapidly increasing rise of the AAPA population in this country, it is imperative that AAPA-focused curriculum and teaching materials be developed and implemented in all mental health disciplines. It is also important that continuing educational programs about AAPA populations be developed for current, non-AAPA mental health service providers. These educational programs should be required of all non-AAPA mental health service providers who deal with AAPA populations.

Within AAPA populations there are special subgroups who have received scant mental health attention and where culture is an important variable. Some of these important subgroups are AAPA wives of U.S. servicemen, AAPA with developmental disabilities, AAPA who live in the Trust Territories of the Pacific, AAPA children, and AAPA elderly. It is important that orientation and teaching materials be developed and disseminated for mental health service providers who have contact with these special groups.

It is clear that an increase in well-trained, AAPA bilingual-bicultural mental health service providers will take some time to develop. However, there are some steps that can be taken now to alleviate the current situation. One of these steps deals with the issue of the maldistribution of AAPA psychiatrists. There are large numbers of foreign medical school graduates who enter the United States every year from Asian and Pacific countries. Many of them choose psychiatry as their area of specialty. However, psychiatry training programs that are located in areas where there are large AAPA populations (the west coast of the United States), do not generally accept foreign medical school graduates from Asian and Pacific countries into their programs. Because of this, foreign medical school graduates from Asian and Pacific countries end up training and practicing in areas where there are very minimal concentrations of AAPA. Also, their training, understandably, does not focus on treatment of AAPA groups because there are so few in their areas. It would, therefore, be important that qualified foreign medical school graduates from Asian and Pacific countries be allowed to train in programs which exist in areas of the country where there are high concentrations of AAPA. Training programs, most all of which receive some public funding, should be forced to change restrictive admissions policies and train AAPA psychiatrists who can fulfill the needs of AAPA people in those areas.

The community mental health system catchment area policy often works against AAPA who are in need of mental health services. The policy dictates that the range of mental health services be set up according to geographical areas based on population, and that people should seek services in their own catchment area. Because AAPA populations do not always live in one area but are often spread out, and because of the shortage of bilingual-bicultural service providers, AAPA clients often cannot find appropriate service providers in their own catchment area. Because catchment areas are usually given funds to provide service only to those clients who live in their districts, they often discourage service seekers from crossing boundaries. Until there are enough bilingual-bicultural service providers in all catchment areas, it makes sense to pool resources whenever feasible. Thus, administrative, program, and fiscal arrangements should be made to allow Asian and Pacific American residents to be served across catchment boundaries when appropriate services do not exist in their areas. This would avoid duplication of existing services which are often in themselves inadequate, but could be more effective if combined with services from other catchments.

Because of the shortage of bilingual-bicultural mental health service providers and the inappropriateness of existing mental health services, many community-based AAPA service programs have developed and are being utilized by AAPA clients in need of help. In many ways these community programs are doing the job that the mental health system ought to be doing. I would, therefore, recommend that community mental health services contract with AAPA community-based organizations whenever possible to deliver mental health services to the AAPA communities that such organizations serve.

In closing, I would again like to refer to the AAPA subpanel report on the "Mental Health of Asian/Pacific Americans" which is part of the *Report to the President from the President's Commission on Mental Health, 1978:*

> The most pervasive mental health problem confronting Asian and Pacific Americans is racism. The effects of racism (e.g., colonialism and institutional racism) are viewed as being highly detrimental to the mental health of Asian and Pacific Americans. Racism adversely affects the emotional and psychological well-being of Asian and Pacific Americans, and it often restricts the resources (e.g., economic and service) available to them. Racism is manifested in discriminatory acts which often have a damaging psychological impact on Asian and Pacific Americans. These acts have frequently been codified in discriminatory legislation, which clearly violates human rights (Owan, 1975). Racism is also manifested in derogatory stereotyping of Asian and Pacific Americans as something less than "American." Such stigma has followed Asian and Pacific Americans over the years, often producing a sense of inferiority and second-class citizenship. Institutional racism further operates in the mental health delivery system to ignore the distinct and diverse mental health needs of the Asian and Pacific Americans and to restrict opportunities to enter the mental health professions. The subpanel recommends:
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> 1. That existing and proposed mental health policies contain specific provisions which acknowledge the unique cultures, languages, and lifestyles (including immigration experience) of the Asian and Pacific American. The subpanel further recommends support of those policies which recognize and reflect sensitivity to the cultural, racial, and ethnic differences of the Asian and Pacific Americans (e.g., bilingual-bicultural education and affirmative action programs).

I wholeheartedly agree with the subpanel's identification of this primary mental health issue facing Asian and Pacific Americans and its recommendations to deal with it.

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Mental Health Services for the Asian Americans: Problems and Alternatives

by Evelyn Lee*

I. The "Model" Minority and the Madness Establishment

For many minorities in America, quality mental health care is not readily available. Our service system is crisis oriented rather than prevention oriented; the delivery system is too fragmented, ineffective, and lacks coordination; most unfortunately, the strengths and cultural uniqueness of the minority individuals are either neglected or disregarded.

After years of protests, judicial decisions, and big push for consumer input in the '60s and early '70s, the poor and the minority started to receive increased public attention and some legislative protection from the Federal Government. The Community Mental Health Center Act in 1963 (P.L. 58-164) and later amendments (P.L. 94-63) sought to provide incentives through funding to establish community mental health centers throughout the country. One of the goals of the Federal community mental health center (CMHC) program is to reach the high-risk, needy groups otherwise lacking high quality services. Twelve mental health services are mandated to be made available to persons in the local communities.

Title VI of the Civil Rights Act of 1974 also requires that State agencies and their local counterparts receiving Federal financial assistance operate in a way which ensures that the individuals are not denied the benefits of or excluded from participation in services on the basis of race, color, or national origin. This law has been further defined in the Health Revenue Sharing and Health Services Act of 1975, which requires that community mental health centers make specific goals and plans and staffing appointments which are culturally and linguistically responsive to the needs of the population they serve.

The implementation of such Federal legislative mandates had aroused mixed feelings of confusion and excitement among the mental health professionals. There are endless debates over the "clinical service" versus "social change" models. There are issues pertinent to conflict involving "community control" versus "governmental control." The medical industry is rapidly being challenged by health "consumerism." There are constant struggles to define who are "over-served," "underserved," or "unserved." Many "deinstitutionalized" mental patients are in local communities with no treatment and support. Discrimination and reverse discrimination are hot issues covered by our daily newspapers. The mental health industry, like their patients, is in a state of madness.

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Now, 16 years after the implementation of the CMHC Act, even with the increased mental health centers, mental health care is still irrelevent and often unavailable (Chu and Trotter, 1972). The detailed specifications for the Community Mental Health Systems Act (Fed. 1979 draft) lists several discouraging findings:

1. Despite significant progress in the availability of mental health services, children and youth, the aged, the chronically mentally ill, racial and ethnic minorities, poor persons, and persons in rural areas often lack access to adequate mental health services.
2. Even where mental services are available, the lack of coordination of mental health, health, and human services often lead to neglect or unnecessary institutionalization of persons with chronic mental disabilities.
3. Millions of persons with some level of mental disorder are treated in the primary health care system where opportunities for effective care are often lost because of inadequate mental health training for general health care personnel and the lack of mental health personnel in primary health care settings.
4. Present efforts to prevent mental disability through discovery and elimination of the causes of mental illness and through early detection and treatment programs are far too limited.

For many minorities, they are also often underserved by high quality mental health resources (Kramer, Rosen, and Willis, 1973). In 1973, 38 percent of the 272 centers with over 2,000 nonwhite residents in their catchment areas had *lower* utilization rates for nonwhites than for whites (Windle, 1976). For the Asian and Pacific Island Americans, they are either unserved, underserved, or inappropriately served by the Nation's mental health system. There are major deficiencies in the areas of service *availability, assessibility, appropriateness,* and *accountability.* Let us examine some of the very limited available findings:

- According to Sue and McKinney's study in the Seattle, Washington, area (1974), Asians are diagnosed as psychotic almost twice as often as whites (22.4 percent to 12.7 percent), and the dropout rate for Asian patients was extremely high (52 percent).
- Many of the Asians and Pacific Islanders are placed in State hospitals far away from their local community. In 1973 Berk and Hirata reported that the rate of State hospital commitments among Chinese Americans had increased faster than that of the general population in California during the last 50 years.

- According to the several studies (Sue and McKinney, 1974; Sue, 1977; Karns and Edgerton, 1969), Spanish Americans and Asian Americans use mental health services far less than other segments of American society. For those who engaged in the mental health systems, they seem to face a greater tendency to be overdiagnosed in some categories while underdiagnosed in others.
- In comparing a sample of Chinese patients with a randomly selected control group, it was shown that while the Chinese were less likely to utilize mental health facilities, the patients tended to be more disturbed than white patients (Brown, Stein, Huang, and Harris, 1973).
- A study on Asian students (Sue and Sue, 1971) showed that Chinese and Japanese males seem to exhibit more severe psychological disturbance than non-Asians. Very few bicultural services are available for such population.

As a member in the minority advisory committee of Administration of Alcohol, Drug Abuse and Mental Health (ADAMHA) of HEW, I have the opportunity to visit many Asian and Pacific Island mental health programs in the U.S. As a mental health provider, I also have the opportunity to learn from the consumers. There are many very discouraging findings. For example:

- Many non-English-speaking patients who are hospitalized in State hospitals are not able to communicate with the staff. The majority of States, like Massachusetts, do not have any bilingual mental health professionals.
- Many Asian and Pacific Island communities do not have community-based mental health programs. This includes big cities with large Asian and Pacific Island populations.
- Very few mental health programs are directly controlled by local community boards.
- In many parts of the country, Asians and Pacific Islanders are dispersed over several catchment areas. For many "isolated" people, such as residents in the Midwest or in the South, bicultural-bilingual services are not available at all. There is almost no attention given to the need for cross catchment area service delivery concept.
- A significant proportion of Asian/Pacific Americans, especially refugees from Southeast Asia, are newcomers to the U.S. who must face multiple problems of language barriers, unemployment, cultural shock, emotional problems caused by losses, isolation, loneliness, etc. Very little attention and financial support are given to community agencies to provide mental health services to such groups.
- There are very few bilingual and bicultural mental health professionals available. For example, in Massachusetts there is no

Vietnamese-speaking psychologist or psychiatrist available. There is only one Cantonese-speaking psychiatrist and one Toisanese-speaking licensed psychologist. Many States do not have any Asian and Pacific Island professionals available.

There are many reasons why Asian and Pacific Island minorities do not receive their fair share of mental health services. The following are some major problems:

1. Asians and Pacific Islanders are often stereotyped as the "model" minority: educated, having a stable family, and free of conflicts. The problems of mental health and the rate of mental illness have been underestimated by the American public. The "they'll take care of themselves" assumption led to governmental neglect in providing very needed services to this silent minority. Many social services and mental health facilities are relieved of their responsibility and obligation, and therefore mobilize their energy and resources to the more visible, vocal, and "problematic" populations.
2. Asians are in general not "psychologically minded." Most of them have very little understanding and contact with the mental health profession. To receive help from a "stranger" would be to publicize the disgrace of his family. Pride, shame, fear of social stigmas, "saving face" also prevent their entry to the door of mental health centers (Sato, 1979).
3. There are few bilingual-bicultural providers in the existing CMHC with good understanding of the distinctive ethnic value system and common life stresses. Many Asians and Pacific Islanders, especially the new immigrants, do not speak English and find it very difficult to express their emotional difficulty through interpreters.
4. The Western ideology of emotional problems and its methodology are very foreign to most of the Asians. It is rather difficult to establish rapport and therapeutic relationships between the Asian clients and American-trained therapists who have different racial and cultural backgrounds. Psychotherapy is basically a white, upper-middle class activity geared for patients who have high verbal functioning, high emotional expressiveness, and great tolerance for ambiguity (Sue and Derold, 1973). Diagnosis and treatment are based on traditional psychiatric concepts of mental health and mental disorders. Traditional psychiatric modalities tend to work best for the YAVIS (young, adaptable, verbal, intelligent, and successful). As for most of the uneducated Asians who have low verbal skills, unmotivated for insight therapy, and unable to pay, they fall into a limbo.
5. Nonexistence of local community-based mental health programs in many Asian and Pacific Island communities. Many big cities with large numbers of Pacific/Asian Americans still lack community-based mental health facilities.

6. Limited power in the mental health planning and decisionmaking process. Very few Asians and Pacific Islanders are represented on the local, regional, and State mental health area boards.
7. Inadequate Asian and Pacific Islander leadership at the national level to provide technical assistances to local Asian and Pacific Islander communities or to serve as advocates for Asian and Pacific Islander concerns. Very few Asians and Pacific Islanders are appointed to high level positions in HEW.

II. Alternative Model for Delivery of Mental Health Service to Asian and Pacific Island Minorities

What steps can be taken to ensure that the mental health needs of Asian and Pacific Island minorities are met and that the services they receive are appropriate and effective? Up to this point, there are no systematic studies to assess what type of service delivery model works best for the Asian and Pacific Island population. One of the purposes of this paper is to present one model presently in operation in Boston's Chinatown. This service model has brought about many new and exciting treatment possibilities to our local community. It is, of course, not our intention to provide a "recipe" to all Asian communities.† It is very important to note that each Asian and Pacific Island ethnic group should be examined separately and their distinctive and diverse cultural backgrounds taken into account. In addition, each community has its own political and leadership structures and its own funding patterns. Program design should be tailored to the needs of each ethnic minority with its own community characteristics.

Our mental health service model is designed with the following *assumptions:*

1. Programs controlled by the community board are more responsive to the consumers' needs and expectations;
2. Neighborhood health center as provider of primary mental health care increases the accessibility and psychological acceptability of mental health services. This service model also enhances prevention, early casefindings, and coordination of primary health care;
3. The physical design of the mental health center in the same geographical location with other human services increases the program;
4. Activities with other services networks facilitates coordination of care for patients with multiple problems. This decreases the possibility of service fragmentation and duplication;

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† Asian American is defined as "persons whose origins or parentage is Chinese, East Indian, Filipino, Guamanian, Indonesian, Japanese, Korean, native Hawaiian, Pakistani, Samoan, Thai, and Vietnamese." (Classification for ethnic minorities used in NIMH).

5. Bilingual providers with good understanding of the distinctive ethnic value system and common life stresses produce better treatment outcome.

To translate our assumptions into *program objectives*, the internal design of our system has tried to meet these criteria. It is:

- responsible to the target population as defined in our proposal,
- reliable and consistent,
- minimizing pool of unmet needs through preventive components,
- economical and efficient

In our implementation of the above-mentioned objectives, our model calls for strong *linkage* between mental health center system and other human services systems.

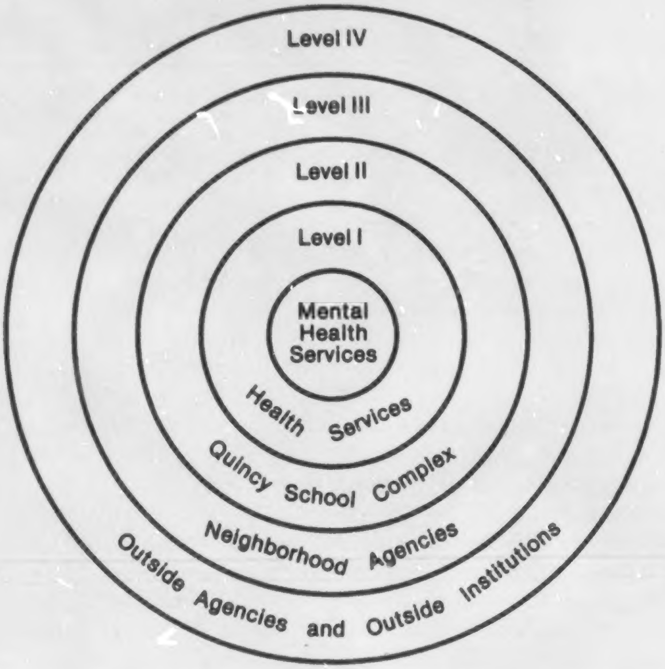
There are many levels of linkages (see appendix I):

Level I Linkage with the Health Services in the Center

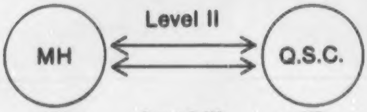
During the last decade there has been increasing interest in the provision of mental health care in a variety of settings ranging from private offices to group practices, teaching hospitals, and community halfway houses. In 1973 under the auspices of the Massachusetts League of Neighborhood Health Centers, a task force of mental health workers in the Boston area designed a study to gain a better understanding of the organization, operation, and functioning of the 19 Boston neighborhood health centers with mental health programs. There was general consensus that mental health should be considered part of comprehensive general health care and should not be separated from it either programmatically or geographically. Centers contacted indicate the following specific advantages:

1. Referrals are easier and quicker in both directions with fewer patients likely to be "lost" between referring and referred caregivers if the caregivers are in the same location.
2. Communications about patient care for referral, consultation, or collaborative efforts are facilitated by the advantages of ready access to allied caregivers, a common record system, and a common administrative hierarchy to decrease red tape.
3. Since many health care delivery problems hinge on the patient-provider relationship, mental health staff can often assist health staff in learning how to deal with behaviorally difficult patients. In turn, health staff can use their ongoing relationship with patients to facilitate acceptance of mental health services when needed.
4. The appreciation of emotional problems by general health staff and their use of consultation is facilitated by the frequent informal contacts between the health and mental caregivers located under the same roof (Borus, 1975).

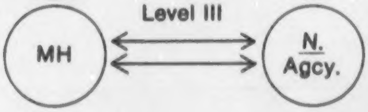
APPENDIX I


Level IV
Level III
Level II
Level I
Mental Health Services
Health Services
Quincy School Complex
Neighborhood Agencies
Outside Agencies and Outside Institutions

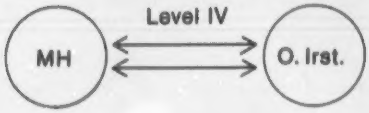
Pediatric, adult medicine, eye, dental, adult psychiatry, child psychiatry, social service, and OB/GYN services


Level II
MH
Q.S.C.

Quincy school, little city hall, community council, Quincy tower


Level III
MH
N. Agcy.

Vocational training program, English classes, day care center, housing, youth groups, after school programs, big brother & big sister program, legal services, and other social service agencies


Level IV
MH
O. Irst.

Massachusetts Rehabilitation Commission, Court, Police, Hospital & Clinics, social service agencies, department of mental health, public welfare, schools, etc.

For our Asian and Pacific Island patients, the majority of whom are Chinese and Vietnamese, such a design is extremely paramount because of the following cultural factors:

1. Asian and Pacific Island males and females displayed more *somatic complaints* which are often the result of emotional conflicts. Asians and Pacific Islanders are reluctant to admit psychological problems, since they are regarded as shameful, whereas physical problems are better realized and are more acceptable.
2. *Medication* is highly valued by the Asians and Pacific Islanders as the "cure" for mental problems. They usually turn to a physician or traditional herbal medicine as their primary source of help for emotional troubles.
3. There is a strong *fear and denial of mental illness* in the Asian and Pacific Island community. There is less stigma and labeling of the patient as mentally ill when he seeks mental health service in a health center. Many patients are *shifted* from a medical doctor to a social worker conveniently and naturally.
4. *Physicians* are well-trusted and respected in our community. The *proximity* also fosters greater patient acceptance of a referral for emotional help when it is made by the trusted health caregiver to someone who is part of the same caregiving system. The team approach in the health center with patient care meetings can also decrease the high rate of patient attrition in the referral process and facilitate early case referral.
5. Most of the families we work with are from *"multiproblem"* families (see appendix II). Having health and mental health services under one roof can facilitate coordination of primary care and foster integrated treatment planning for the *total family unit.*
6. When someone was in need of help, his own family members or family association and local community leaders were traditionally used as the major support systems. *Therapy is not well-understood and received.* They perceive counseling with much apprehension and suspicion. Health center with the insurance of confidentiality does create a "safer" and a "socially more acceptable" environment for people to receive help.
7. Many of our mental health unit patients are in need of medical services.

Referral to the medical unit just across the hall for medical, dental, and eye care provides valuable assets in relationship building. By initially trusting the counselor, they learn to extend their trust upon other health providers.

8. Policies and program planning at the health center is controlled by an elected *community board.* By shifting the mental health program from a predominantly white-controlled institution to the neighborhood

APPENDIX II

According to the 1970 study conducted by the Action for Boston Community Development (ABCD), the Boston Chinese community is shown to have greater problems than most other groups in the city, including other minorities.

- 63% of Chinese family have annual incomes of less than $6,000 and 21% have incomes under $3,000 per year.
- family size is 3.4 compared to 2.9 for the city as a whole; 78% of the area's housing units have more than one person per room, compared to 8% in the city as a whole.
- almost 50% of the Chinese pupils enrolled in the Boston public schools in 1969 were foreign born.
- nearly 70% of head of household have less than an eighth grade education.
- 82% of Chinese head of households are employed in service jobs, presumably in restaurants and laundries. Only 12% were so employed in the city as a whole.
- the infant mortality rate in 1966 was 66.7 per thousand, two and one-half times greater than in the city as a whole and 150 percent greater than in 1960.
- the incidence of new tuberculosis case is 192% greater than in the city, and the general death rate is 12% greater.
- 72% of Chinatown's housing deteriorating or dilapidated, compared to 14% in the city.

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health center, control of the priority programs and quality of services can then be better monitored and more efficiently controlled by the local community residents. Now services can be more directly related to the needs and expectations of the community and fit into their unique cultural patterns. Since most of neighborhood health center boards consist of relatively "young" members with fresh new ideas, there is no need to fight against years of established tradition like most of the old agencies in this area. Furthermore, the board can serve as new political power base for system change.

9. Very few Asians and Pacific Islanders can afford to or are willing to *pay* for mental health service. A very small percentage of our patients are covered by third party reimbursement (11.7 percent BC/BS; 6.4 percent medicare; 11.6 percent medicaid). It is vitally important for a clinic where they can go for services at a reasonable *cost* (or at no cost at all).

Like most of the mental health clinics, we offer individual, group, and family therapy. But better than most of the traditional settings, our program design at the health center opens many new innovative ideas. The following are some linkage examples:

- a child mental health team consisting of child psychiatrists, psychologists, educators, social workers, dentists and optometrist and pediatricians, nurse, nutritionist, health educator providing comprehensive care for children.

- ongoing prenatal and infant development classes organized by our health educator and pediatrician with input from the mental health team staff.
- pediatric screening by a social worker at the well-baby clinic allows early casefinding and prevention.
- adolescent clinic—provides bilingual comprehensive medical, health education, social and mental health services to our teenage group.
- outreach teams to the elderly. Each team consists of a social service and a medical para- professional. They are jointly responsible for visiting the elderly in the community to develop a treatment plan after a medical social-psychosocial screening.
- interpreter-escort service: provided by social service assistants to all residents and medical institutions in the Boston area.
- a 24-hour telephone emergency service for all patients, staffed by bilingual physicians and nurse.
- an intake/registration interview conducted by social workers at their first contact with the health center.
- swimming and exercising classes, organized by our nutritionist and group worker.
- Dentist, pediatrician, nurses, and mental health professionals conduct workshops for new immigrant students in bilingual classes.
- bilingual radio program, focus on medical and mental health issues.
- family health newsletters, organized by a multidisciplinary team.
- Other: such as women's club, knitting classes, cooking classes, citizenship classes are also available for all neighborhood residents.
- biweekly inservice training to both medical and mental health staff to increase mutual understanding.

With the help of such linkages, many patients who enter the primary care health system are referred to mental health and social services. Such referrals represent 55 percent of the adult mental health and 41 percent of the child mental health cases (see appendix III).

For many residents, health center is not only a place to take care of the physical and emotional *problems*, but also a learning institution for *new growth*. The network of support systems provided by our multidisciplinary team has proved to be an extremely effective tool in serving this long-neglected minority group. Community consumers appear to respond well to such program design. Our computerized management information system indicates a drastic increase of patient registrations and encounters (see appendix IV). At present, we have more than 9,000 registered patients and provided 30,304 encounters in fiscal year 1978 and 36,000 in 1979. This type of comprehensive service also has proved to be cost effective. It costs our health center

APPENDIX III

Adult Mental Health Team and Social Service Unit

1978	
Internal-S.C.C.H.C.	41%
Private physicians	2%
Self	27.4%
Other social agencies	12.2%
School	3.4%
Hospital	14%

Child Mental Health Team	
Internal-S.C.C.H.C.	55%
Self	4%
Other social agencies	12%
School	26%
Hospital	3%

$28.09 per clinic visit (appendix V). (Compared with $50 per outpatient visit and $300 inpatient in a nearby hospital).

Level II Linkage with the Human Service Complex

The location of our health center is built along with an elementary public school, a community council, little city hall, an elderly tower with 160 apartments, and a day care center. It is a "one-stop" shopping mall with many vital services for all segments of our population. There are many distinguished advantages of such type of architectural design.

1. Being one of the very few newly constructed buildings in a deteriorating neighborhood, this colorful building is ideally located among three housing projects in Chinatown. The easy accessibility has undoubtedly increased the number of visits to our center. It is especially necessary for those without means of transportation, for those who are homebound, and for parents without child care.
2. It is always a pleasurable experience to come to this attractive Quincy School Complex. The comfortable atmosphere give clients and staff a warm feeling and a sense of recognition. This, directly or indirectly, enhances the treatment processes, reinforces behavioral change, and generates better productivity (Young, 1976).
3. The complex puts many different types of programs together in an alliance that benefits all. By being "neighbors" to each other, caregivers from many fields are encouraged to interact and learn how to cooperate. Teachers, nurses, social workers, child care and recreation staff, psychologists, health educators, etc. are all working together under one roof. The team work in proximity enhances early case finding, successful referral and coordination of services.

APPENDIX IV

South Cove Community Health Center
Visits by Service FY 77–FY 79

DEPT	FY 77	FY 78	FY 79
Internal medicine	4,050	4,166	4,768
Pediatrics	4,100	5,862	8,046
Ob/Gyn	1,300	1,864	2,271
Dental	600	4,136	4,759
Eye Care	850	1,236	1,425
Health education	400	666	800
Mental health	2,800	4,764	5,688
Nutrition	600	2,302	2,376
Social services	2,900	4,592	5,007
Totals	18,000	30,304	36,000

APPENDIX V

South Cove Community Health Center
Visit Cost Analysis
FY 76–FY 79

Year	Operating Cost	Encounters	Cost/Visit
1976	641,570	18,000	35.60
1977	743,772	23,000	32.30
1978	947,326	30,304	31.26
1979*	1,024,754	36,486	28.09

* Annualized from 6 mo. actuals

The Quincy complex serves as the "second home" for many Chinese families. For instance, a mother may take her child to school, see her physician or social worker, attend English or cooking classes, visit her in-law nearby, or do some grocery shopping. The children may stay after school to join in all kinds of activities such as swimming, basketball, gym, art and crafts, afterschool program, ballet class, or Chinese dancing. For our mental health providers, the physical location provides great convenience to talk to teachers or to observe a child in classroom. Social workers can take advantage of the swimming pool and gym facilities to reach out to their clients. It takes only a few minutes to visit an elderly next door.

During the past year, our health center has set up several joint projects with other organizations in the same complex. For example:

- Cosponsored summer day camp program with three other community agencies. Around 200 children and adolescents attend each year. Our staff members are involved in planning, orientation for camp counselors, first aid training and emergency medical backup, health and mental health education curriculum;
- Children's fair — a day of fun for children and their family members, organized by teachers, Quincy School Council and health center staff, student board members, and many volunteers;
- a family support program for the day care program;
- 766 evaluation for children with special needs;
- therapeutic tutoring program and English classes;
- school health—focus on early detection and prevention of medical and emotional problems in the school population;
- comprehensive medical, social, mental health services to the elderly and the handicapped.

Level III Linkage with Neighborhood-Based Cultural and Organizational Networks

Despite the rhetoric support of the trend toward more comprehensive Boston program/problems of care at the neighborhood level, human service caregivers still have shown little effort to cooperate and to build a strong service network in their own community. Consequently, human services to low-income urban consumers are generally fragmented and disorganized. Many high-risk community residents are being excluded from the existing network of human service. The absence of coordinated systems of care often results in duplication of efforts and a waste of scarce community resources. Opportunities for early casefinding are frequently sacrificed to the need for crisis intervention.

During the past few years, many storefront agencies have established their roots in Chinatown and offered a wide spectrum of human services. However, in the past very little effort has been made to examine closely the issues of collaboration, interagency coordination, and system intervention.

Last year the Chinatown Community Task Force was formed to coordinate services and serve as advocate for consumers. Chinatown Council of Community Services was also formed in October 1978 by six major community agencies in order to bring better coordination and broader system change in our neighborhood. With the increasing mental health manpower and the financial support of the consultation and education grant, our mental health program has tried to develop multiple external linkages to community agencies and caregivers, including schools and child care facilities, recreational activities, youth groups, churches, social service agencies, and other medical providers. In the Chinese community, it is particularly important to be in good communication with the local restaurants, grocery, stores, police station, travel agencies, family associations, drug stores, garment factories, etc.

Level IV Linkage with Outside Agencies and Organizations

Historically, residents in Chinatown have tried to maintain their social structure with a minimum of noticeable conflicts with the American society. They tolerated much prejudice and discrimination quietly without making strong protest. Evidence of institutional neglect can be found in almost all types of human services systems: economic development, welfare, education, medical and mental health, legal service, medical, etc. Even though the outsiders are more aware of the social problems in Chinatown, presently most of the agencies outside of Chinatown do not have any bilingual and bicultural staff to serve this non-English-speaking population. Many Chinese residents do not know how to use the outside resources. For the clients who enter the agency systems, services are usually provided by English-speaking providers or through interpreters which easily leads to wrong diagnosis and mislabeling. Therefore, besides treating many "resistant" individual clients, we have to deal with many "resistant" agencies with low motivation for change.

After years of planning and negotiation, our health center has established collaborative arrangements with several human service agencies and set up new outreach programs for our residents. Examples are:

- medical and financial backup by Tufts New England Medical Center,
- support by Bay Cove Community Mental Health Center in the areas of child mental health services, consultation and education program, etc.
- vocational training class funded by the Massachusetts Rehabilitation Commission,
- mental retardation program funded by department of mental health,
- English and citizenship classes available for our patients at University of Massachusetts,
- fieldwork placements for social work students from graduate school of social work,
- training program for psychiatric residents,
- assistance in social service applications at the health centers (such as food stamp application and other welfare benefits),
- legal counseling for our patients at the health center.

Health Center also provides the following outreach services to the following institutions:

- school consultation—regular visits to schools with large Chinese student populations,
- comprehensive medical and mental health backup for day care centers in Chinatown,
- consultation to afterschool programs,
- translation service,
- interpreter-escort service available to hospitals, clinics in the Boston area
- first aid training and other health education programs available for agencies,
- consultation to State hospital, community mental health centers, universities, church groups, and social services agencies,
- inservice training program available for all human service providers.

Problem Areas

Our adopted model is not without disadvantages. There are several problems in providing coordinated primary mental health services in neighborhood health centers. Some are particularly pertinent to our community:

1. *Funding:* Presently, we have no single-source funding for our mental health services. Our principal funding source (HEW) does not cover any mental health salaries. Very few patients are covered by any health insurance and cannot afford service fees. Many indirect services are currently not reimbursable by third-party payments. Preventive and educational programs, therefore, are very costly even though such programs are desperately needed.
2. Very few patients are eligible for welfare benefits. The *strengths* of Asians and Pacific Islanders (such as working hard and being economically independent) are somehow "punished" by the present welfare system. It is rather difficult for Asian and Pacific Island agencies to be self-reliant without governmental support. When the CMHC money dries up in the coming year, it will be next to impossible for many Asian and Pacific Island programs to continue without new ways of funding.
3. *Recruitment for bilingual staff:* There is a critical shortage of bilingual professionals, especially those who are comfortable with their ethnic identity and able to tolerate the job pressure.
4. *Language and cultural gaps:* Although most of our patients speak Cantonese and Toisanese, there are patients who only speak Mandarin or Vietnamese. Our patients who came from various Asian and Pacific Island countries require different treatment approaches. This calls for multidialect capability and multicultural expertise upon our staff.
5. *Lack of backup facilities:* It is rather difficult to operate an outpatient bilingual mental health clinic without adequate backup

facilities. Presently, there are no bilingual staff available in inpatient psychiatric settings. There are also no halfway house, day hospital, foster home, workshop, etc., designed to work with Asians and Pacific Islanders. Furthermore, our center's usually treated as the "dumping ground" for difficult cases. This puts an extra burden on our already overworked staff.

"Healing of the wounded spirit" requires the understanding of the psychological, physiological, and the social environment of the individual. Mental health professionals cannot remain isolated from vital community needs and resources. We strongly believe that:

1. Neighborhood health center as provider of primary mental health care increases the accessibility and psychological acceptability of mental health services;
2. bilingual providers with multicultural familarity of the consumer population produce better treatment outcome;
3. the architectural design of "multiservice shopping mall" concept increases the program visibility, facilitates successful referrals, and fosters integrated program and treatment planning.

Obviously, the success or failure of such model must be determined by future research. With the decreased funding availability for mental health services, program effectiveness and service integration have moved from innovative luxuries to mandated necessities. Every chance to test out a new service capacity at reduced cost must be pursued.

III. Recommendation for Future Action

To assist 3 million Asian Americans (according to the 1975 special census)and help those with mental health problems, we must affirm the goal that high quality bilingual mental health care should be available. Their needs cannot be met unless we make basic changes in public policies and programs, particularly in how we plan, coordinate, and finance mental health care. There must be a much clearer delineation of *responsibility* and *accountability* for the care delivered to these people.

For the next decade, national mental health policies would be greatly influenced by the recommendations made by the President's Commission on Mental Health. In the report, the Commission strongly recommends priority in the new grant program be given to:

1) unserved and underserved areas,
2) services for children, adolescents, and the elderly,
3) specialized services for racial and ethnic minority populations, and
4) services for people with chronic mental illness.

The proposed *Community Mental Health System Act* also lists the following specific objectives:

1) Foster the most effective use of available Federal, State, local, and private resources by encouraging States to improve their management of mental health services and their coordination of such services with other health and human services;
2) develop community-based services for unserved, underserved, and inappropriately served populations, especially children and youth, the aged, the chronically mentally ill, racial and ethnic minorities, poor persons, and persons in rural areas;
3) minimize unnecessary or inappropriate institutionalization and ensure that persons requiring long term residential care due to mental illness or disability receive such care in the least restrictive setting possible;
4) increase the *integration* of general health and mental health services through inservice mental health training of primary care providers and through placement of mental health professionals in primary care program;
5) encourage States to develop *prevention* programs; and
6) encourage mental health *professionals* to *locate in unserved and underserved areas.*

To implement the above objectives, we feel that the Administration of Alcohol, Drug Abuse, and Mental Health (ADAMHA) of HEW must assume the following *Federal responsibilities:*

1. Bilingual-bicultural mental health services must be made available to all Asian Americans in the U.S. within their local communities.
2. Culture-specific models of service should be developed and delivered to Asian Americans in the context of accessible multiservice centers providing acceptable mental health, health, social services, economic, educational, and legal services centered around the strengths of the Asians and Pacific Islanders.
3. There should be a national policy statement and extra funding to provide assistance to the newly "uprooted" immigrants and refugees. To help them to get a good start in this new land can prevent the development of serious mental and emotional disabilities. Such type of prevention can be much more cost effective.
4. ADAMHA should establish a national plan to increase the available pool of Asian and Pacific Island professionals and paraprofessionals. Appropriate funding should be allocated directly to existing *Asian and Pacific Island mental health centers.*
5. ADAMHA should provide necessary *technical assistance* and adequate resources to enable the underserved Asian and Pacific Island communities to gradually develop their own mental health program.

6. ADAMHA should develop very clear compliance *requirements* and appeal procedures in order to actively enforce Title VI and VII of the 1964 Civil Rights Act, as applicable, to all health, mental health service delivery institutions, and universities that receive Federal funds.

7. ADAMHA should encourage and fund *innovative models of service delivery* uniquely tailored to the needs of Asian and Pacific Island populations.

8. ADAMHA should pay attention to *each* profoundly different subgroup within the grouping of Asian/Pacific Americans. Attempts should be made to develop specific programs that would address such value and cultural differences.

9. *Asian and Pacific Island representatives* should be substantially increased within the structure of ADAMHA. Areas should include: high level administrative positions, initial review groups, special task forces, and national advisory councils. To ensure such representation, a full-time bilingual-bicultural staff should be appointed to function as Asian and Pacific Island coordinators to ADAMHA and MAC on Asian and Pacific Island issues and concerns.

10. ADAMHA should expand research funding in order to: 1) identify and define the priority mental health *needs,* 2) analyze available alternative models, 3) study the range and effectiveness of different therapeutic modalities. Such research should be conducted in service settings with maximum community input.

11. Programs for the *prevention of mental illness* and the promotion of mental health in Asians and Pacific Island communities must receive top priority with sufficient funding.

12. Mental health *consultation and education* activities should be encouraged with funding support. Such programs should be bilingual-bicultural in nature, and planned and delivered by Asians and Pacific Islanders themselves to ensure their relevence and sensitivity to the Asian and Pacific Island cultures. Effort must be taken to educate other ethnic and majority groups concerning the problems as well as the strengths of the Asian and Pacific Island groups. Asian American communities must be helped to understand and destigmatize mental health services. Special attention should also be given to the formal and informal community networks and institutions within local communities such as schools, churches, family associations, unions, civic clubs, and voluntary organizations, etc.

13. ADAMHA should develop special programs for the "minority" within the Asian and Pacific Island minority groups such as day care for the elderly, aftercare program for the chronically ill, comprehensive services for adolescents, etc.

14. ADAMHA should provide support to the continuity of the *minority advisory committee* and the annual *minority mental health conference.* Such conference is the only vehicle for minority professionals and consumers to share their common concerns and exchange their ideas so as to plan for action strategies.

15. The newly proposed Community Mental Health System Act (S. 1177) should have specific language in the bill which addresses the barriers to mental health service delivery for limited-English-speaking and bicultural persons. Explicit assurances with adequate funding appropriations must be provided for the planning and delivery of culturally relevant services staffed by bilingual and bicultural personnel contract with Asian and Pacific Island community-based organizations for delivery of services is crucially important.

16. ADAMHA should give support for the creation of minority mental health center division. ADAMHA should provide an annual budget to carry out its responsibilities and functions. More Asians and Pacific Islanders should be appointed in the division to provide adequate input in program planning, implementation, and evaluation.

The Federal Government alone cannot solve all our problems. We must have strategies developed and implemented by State and local governments. Since the new Federal Community Mental Health Act was passed by Congress in 1975, each State is required to produce a 5-year State plan for mental health services.

The proposed *Community Mental Health System Act* also gives an unbalanced emphasis to the role of the States. In view of the historical neglect of minorities in the past—the idea of cutting down human services expenses in the future in various States—it is very crucial for each *State* to take the following responsibilities:

1. Each State should investigate and assess the quality and quantity of services provided for Asian Americans. Based on the findings, the State should be mandated to develop a separate *5-year plan* with concrete operational statement and specific programs that can be implemented in each funding cycle.

2. Each State should have clear up-to-date *statistical breakdown* and demographic characteristics of minority population.

3. For the CMHC to be eligible for Federal funding, it must meet the compliance regulations. One regulation is that the *governing body* must be from the community or residents within this catchment area. It must be culturally sensitive so as to recognize the different racial components of its catchment area and be responsive to their concerns. For the past 16 years, many CMHCs simply ignored these compliance regulations but received continuous funding. It is very important that each State develop a clear policy statement regarding the specific goals and steps in order to meet the compliance regulations. Funding

should not be given to the CMHC which fails to meet such compliance.

4. More Asians and Pacific Islanders should be appointed or elected in the local area board, the regional board, and the State advisory council structures in order to provide Asian and Pacific Islands perspectives in the planning and decisionmaking processes.

5. Since much of the Asian and Pacific Island population is dispersed among all catchment areas, the issue of *flexible catchment area concept* should be addressed. Regional bilingual and bicultural mental health facilities should be developed to meet the needs of Asians and Pacific Islanders, especially the ones who are geographically isolated from the Asian and Pacific Island communities.

6. Each State should have an effective *information system* and a *statewide management and quality assurances quideline* to measure the State's objectives for service delivery, cost control, evaluation, and planning.

7. The State agency responsible for the State mental health plan should approve the award applications which can promote coordination between mental health and *primary health care services*, as recommended by the President's Commission on Mental Health. State also should place more mental health professionals in primary health care setting.

8. Since very few Asian Americans are covered by public or private insurance, it is very difficult for Asian and Pacific Island programs to generate high third-party reimbursement. This should be taken into consideration for future funding.

9. The State office should be charged with drawing up and monitoring plans for recruitment and *affirmative action*. Special attention should be given to the recruitment and advancement of qualified Asian Americans in accordance with affirmative action guidelines.

10. There should be a decisive shift toward *multidisciplinary training* programs, rather than single-discipline training. Training sites should be based in community programs with direct funding support.

11. Training in management should be available for minority managers and leaders sponsored by the States or regional offices.

12. There should be a formal structure for minority mental health providers and consumers to voice their concerns. It is very important for each state to have its own minority advisory council and annual conference to bring minorities together. Asian/Pacific Islanders should be well represented in such structure.

As *Asian Americans* we also must face up to our own responsibilities. Many Asian and Pacific Island communities such as Chinatowns, like other ghetto areas in the urban city, are actually in deep trouble, a fact that the Asian and Pacific Island community leaders can no longer deny and American institutions can no longer neglect. Jacobs, Landau, and Pell (1971) noted that the Chinese in San Francisco Chinatown have the highest tuberculosis rate in the city and that the suicide rate is three times higher than the national rate. Other problems such as juvenile delinquency, inadequate housing, poverty, underemployment, mental illness are also prevalent in other Chinatowns. The large influx of new immigrants from Indochina and other countries bring in new problems to the already overwhelmed Asian and Pacific Island communities. For many Asian and Pacific Islanders, especially the new immigrants, emotional stresses are mainly caused by language barriers, inadequate housing, long years of separation from their loved ones, long working hours with no job alternatives, and cultural conflicts with the host country.

Racism and many discriminatory legislations (such as the Exclusion Act of 1882) severely crippled the growth and development of many Asians and Pacific Islanders. Mental health services, therefore, cannot be planned and implemented isolated from other socioeconomic-political factors. As Asian and Pacific Island groups, we have a lot to learn and share from each other and other minorities. We must be politically united in order to bring about broader system change in our neighborhoods. We must make the Federal and State governments more accountable for their responsibilities. And, most important of all, we must be able to develop realistic short term and long term goals for ourselves.

IV. Conclusion

In summary, this paper addressed three issues:

1. To document a *past* record of *institutional neglect;*
2. to demonstrate a *present mental health service model* in one Asian and Pacific Island community which can serve as one of the alternative models of mental health service delivery;
3. To outline a plan for *future actions* which hopefully can lead to more responsive and relevant mental health services for Asian and Pacific Island communities.

Within the past 20 years a number of significant legislations have sharpened Americans' responses to the needs of those with mental and emotional problems. However, many Asian Americans still receive inadequate care. We, approaching the end of this decade, must see more clearly the fundamental problems in planning, organizing, delivering, and financing mental health services throughout the mental health system. Such changes call for a basic change of a *redistribution of power and funding.* It demands new alliances between the public and private sectors and among Federal, State, and local governments.

Together we must develop a network of accessible community mental health services in local communities, and increase the *integration* of mental health, other health, and human service networks. The currently existing social and personal supports in our neighborhoods are great resources for preventing the development of mental and emotional problems in American society.

Looking forward to the decades ahead, the government should take special care of those who have been neglected in the past. With combined efforts from the Asian and Pacific Island communities and governments, we can all expect a brighter future.

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Civil Rights and Affirmative Action: Issues, Dilemmas, And Alternatives

by Lawrence K. Koseki, D.S.W.*

Introduction

In approaching the issue of civil rights, the notion of affirmative action represents an integral concept—a concept which can be examined critically from the standpoint of:

1) the nature of the work force and causes for the current situation,
2) issues and problem areas, and
3) action alternatives.

This paper analyzes the ethnic distribution of the work force of a large State human service agency in the light of Hawaii's unique population, history, and ethnopolitical climate. The exposition provides a brief background of Hawaii in terms of its diverse population, the ethnic characteristics of its political leaders, and the State agency—the department of social services and housing (DSSH). An analysis of the ethnic backgrounds of the agency employees by major programs includes a comparison with the ethnic distribution of the recipient groups.

This paper has been approached with a value orientation that everyone in our society should have equal access to employment opportunities and those ethnic groups underrepresented should have the chance to "catchup." Despite this idealistic orientation, the paper attempts to offer action steps which might be helpful on the belief that solutions can best be generated from within the agency rather than be imposed from the outside.

Hawaii: The Multiethnic Society

One of the unique characteristics of Hawaii is the lack of neither a white majority nor a single majority ethnic group. Although there are more Asians and Pacific Islanders residing in the continental United States, Asian Americans and Pacific Islanders, according to recent statistics, accounted for approximately 61 percent of the nonwhite population in Hawaii. Table 1 presents the State's population distribution by specific ethnic groups. In the last two decades, Hawaii has experienced large numbers of immigrants mostly from Asian countries and the Pacific Basin. It now has the largest proportion of foreign immigrants of any State. In addition to the continuing rise of

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TABLE 1

Hawaii State Population By Ethnic Group, 1976

Ethnic group	No.	%
Caucasian	230,078	27.8%
Japanese	219,824	26.6
Native Hawaiian	146,291	17.7
Filipino	83,791	10.1
Chinese	35,791	4.3
Korean	10,733	1.3
Black	7,637	.9
Samoan	4,460	.5
Puerto Rican	3,183	.4
Mixed (cosmopolitan)	76,324	9.2
Unknown/others	9,283	1.1
Total	827,466	99.9%

Source: Hawaii State Department of Health, *Hawaii Health Surveillance Program Survey*, Spring 1976.

immigration to the islands, Hawaii has been historically a place for immigrants and refugee settlement.

The concept of Asian American and Pacific Islander as an ethnic or even political identity is rarely used or acknowledged by Hawaii's people. Rather, Islanders tend to identify themselves with their ethnic-specific labels such as Chinese, Filipinos, Korean, Japanese, or Samoans. Interestingly, even the "American" suffix is omitted. The underutilization of the Asian American and Pacific Islander term may be due to a number of complex factors. However, given the lack of a minority/majority mindset and the possible lessened need to organize and coalesce with other minority groups to deal with a majority group, Hawaii's racial groups have generally tended to rely on their specific ethnic background for identification. The political leaders also reflect the impact of a nonwhite "majority" State population. Both U.S. Senators are of Japanese ancestry; one of the two Congressmen is a Native Hawaiian. The Governor and Lieutenant Governor are Japanese and Japanese-Caucasian, respectfully. And while the mayors of the city and county of Honolulu (Oahu) and Maui are Caucasian, the mayors of Hawaii and Kauai Counties are Japanese and Filipino, respectively.

Among the 76 State legislators, Asians and Pacific Islanders represent 72 percent in the senate and about 77 percent in the house of

TABLE 2

Hawaii State Legislators By Ethnic Background, January 1979

Ethnic group	SENATE No.	SENATE %	HOUSE No.	HOUSE %
Caucasian	6	24%	12	23.5%
Japanese	11	44	27	52.9
Chinese	3	12	2	3.9
Filipino	1	4	2	3.9
Native Hawaiian	3	12	6	11.8
Black	1	4	—	—
Mixed (Asian)	—	—	2	3.9
Total	25	100%	51	99.9%

representatives. Table 2 provides a more specific breakdown of the legislators' ethnic backgrounds. In spite of the Pacific/Asian majority among the State political leadership, issues and problems are seldom addressed along racial lines. In fact, despite voting patterns which reflect racial preferences, it is commonly accepted that running for public office based on one's ethnicity is political suicide. The power of the Pacific Asian political leadership, thus, must be viewed within this climate. And if power is derived from financial resources and racism and discrimination are practiced for economic reasons, Hawaii's economic and corporate structure need to be closely examined to understand the sources and dimensions of power in Hawaii.

But the fact remains that the Japanese segment of the population is now highly visible in government and in the professions. And yet their visibility in government service must be viewed in a historical context—to which Lawrence H. Fuchs incisively depicted in *Hawaii Pono: A Social History.* [1] The Japanese represented the largest single group—although not a majority—before, during, and after World War II, but were generally excluded from employment in business and from other private sector jobs, including the professions. Armed with veteran's benefits to further their schooling and imbued with their parents' value on education, many of the Nisei veterans went off to college and upon their return sought employment in government, particularly in teaching. The impact of this process achieved its crest in 1954 during the Democratic Party's landslide victory in which the political system of Hawaii was significantly altered. The continuing residual effect of this social-political revolution rippled through the third and fourth generations of the Japanese population and reflects, in part, their current numbers specifically in teaching, social service, public health, engineering, medicine, dentistry, and throughout the public sector in general. No doubt, the large number of the Japanese, coupled with their educational attainment propelled them into a conspicuous position. The Chinese, on the other hand, tend to be also overrepresented (in relation to their numbers in the population) in government work as well as in similar professions, but their small numbers in the general population are such that in spite of their educational, social, and economic gains, they as a group have not generated levels of hostility and competitiveness experienced by the Japanese.

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[1] Lawrence H. Fuchs, *Hawaii Pono: A Social History* (New York: Harcourt, Brace, and World, Inc., 1961).

The Department of Social Services and Housing

The State government of Hawaii is highly centralized with 17 departments. Unlike its sister States, the State is responsible for administering all health, education, and welfare programs. The department of social services and housing represents one of the largest and complex State agencies consisting of more than 86 programs with an annual operating budget of approximately $300 million. Its staff comprises over 2,000 workers. The agency annual clientele number over 175,000 persons.

The department's programs range from public assistance and health service, vocational rehabilitation services, public housing, corrections and parole. There are three line divisions—public welfare, corrections and vocational rehabilitation, and services to the blind. The State medicaid program operates under the public welfare division. The Hawaii Housing Authority, Hawaii Paroling Authority, and the Criminal Injuries Compensation Commission function independently under their respective boards or commissions but are attached to the department for administrative purpose. Support services to all programs are provided by various departmental staff offices such as the office of information systems, research and statistics, administrative and fiscal services, personnel, program evaluation and fair hearings.

A Comparison of Staff and Recipient Ethnic Profiles

The department, as of April 1978, had a total of 2,054 employees. Of this total, the three largest groups were Japanese, 945 or 46 percent; Native Hawaiians, 344 or about 17 percent; and Caucasian, 326 or approximately 16 percent. Chinese, Filipinos, blacks, and Koreans followed in that order with smaller proportions (see table 3).

According to table 3A, Japanese and Chinese represented two-thirds of the top administrative positions in the department. Native Hawaiians and Caucasians accounted for approximately 20 and 10 percent, respectively. Among the professional employees, over 50 percent were Japanese, followed by Caucasians, 21 percent, Native Hawaiians, 11 percent, and Chinese, 10 percent, respectively.

TABLE 3

Total DSSH Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Japanese	945	46.0%
Native Hawaiian	344	16.7
Caucasian	326	15.9
Chinese	43	6.9
Filipino	112	5.5%
Black	16	8
Korean	14	.7
Others	154	7.5
Total	2,054	100.0%

Native Hawaiians and Japanese were the largest groups among the technicians, each with 38 percent, respectively. Of the total protective service employees, 38 percent were Native Hawaiians and 28 percent were Caucasians. Paraprofessional workers showed 52 percent Japanese and 14 percent, respectively, for Caucasians and Native Hawaiians. Among the office and clerical employees, 60 percent were Japanese. The next largest group was Native Hawaiians, 11 percent followed by Caucasians, Filipino, and Chinese with approximately 6 percent each. Japanese employees represented 49 percent of the skilled/craft workers. Native Hawaiians accounted for 17 percent followed by Caucasians, 11 percent, Filipinos, 8 percent and Chinese, 7 percent. Among the service/maintenance workers, Native Hawaiians had 31 percent, Filipinos and Japanese, 21 percent and Caucasians, 15 percent (see table 3A).

On the other hand, it is interesting to note the distribution of employees in job categories by each ethnic group. As table 3B shows, the Caucasian group had its largest representation in professional, protective service, and paraprofessional positions; the Japanese in professional, office/clerical, and paraprofessional; the Native Hawaiians in paraprofessional positions; Filipinos had their largest representation in office/clerical jobs followed by service/maintenance and paraprofessional positions; the Chinese largest representation were in professional, paraprofessional, and office/clerical work; the Koreans had about one-half of their numbers in professional positions followed by office/clerical workers; and blacks had their largest proportion in protective service and professional positions.

In table 4 Japanese employees in the public welfare program represented 53.3 percent of the total 857 staff. All other groups are underrepresented in comparison to their numbers in the general population. On the other hand, table 4A indicates that Native Hawaiian, Caucasian, and Filipino groups represented over one-half of the total number of persons receiving public assistance. In comparison

TABLE 3A

Total DSSH Employees By Ethnic Background and Job Categories, April 1978

Ethnic group	JOB CATEGORY Official/ad-ministrator		Professional		Technician		Protective services		Parapro-fessional		Office/clerical		Skilled craft		Service maintenance	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Caucasian	2	11.1%	122	20.7%	3	18.8%	73	27.8%	64	13.7%	33	6.9%	12	10.7%	17	15.2%
Japanese	6	33.3	302	51.3	5	31.3	23	8.8	243	51.9	287	60.3	55	49.1	24	21.4
Native Hawaiian	4	22.2	63	10.7	5	31.3	101	38.4	64	13.7	53	11.1	19	17.0	35	31.1
Filipino	—	—	8	1.4	1	6.2	16	6.1	23	4.9	31	6.5	9	8.0	24	21.4
Chinese	6	33.3	58	9.9	1	6.2	7	2.7	32	6.8	30	6.3	8	7.1	1	0.9
Korean	—	—	6	1.0	—	—	1	0.4	1	0.2	3	0.6	1	0.9	2	1.8
Black	—	—	4	0.6	—	—	7	2.7	3	0.6	—	—	2	1.8	—	—
Others	—	—	26	4.4	1	6.2	35	13.3	38	8.1	39	8.2	6	5.4	9	8.0
Total	18	99.9%	589	100.0%	16	100.0%	263	100.2%	468	99.9%	476	99.9%	112	100.0%	112	100.0%

TABLE 3B

Total DSSH Employees By Job Categories and Ethnic Background, April 1978

Job category	Caucasian		Japanese		Native Hawaiian		Filipino		Chinese		Korean		Black		Others	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Official/ administrator	2	0.6%	6	0.6%	4	1.2%	—	—	6	4.2%	—	—	—	—	—	—
Professional	122	37.4	302	32.0	63	18.3	8	7.1%	58	40.6	6	42.9%	4	25.0	26	16.9%
Technician	3	0.9	5	0.5	5	1.5	1	0.9	1	0.7	—	—	—	—	1	0.7
Protective service	73	22.4	23	2.4	101	29.4	16	14.3	7	4.9	1	7.1	7	43.8	35	22.7
Paraprofessional	64	19.6	243	25.7	64	18.6	23	20.5	32	22.4	1	7.1	3	18.8	38	24.7
Office/clerical	33	10.1	287	30.4	53	15.4	31	27.7	30	21.0	3	21.4	—	—	39	25.3
Skilled craft	12	3.7	55	5.8	19	5.5	9	8.0	8	5.6	1	7.1	2	12.5	6	3.9
Service maintenance	17	5.2	24	2.5	35	10.2	24	21.4	1	0.7	2	14.3	—	—	9	5.9
Total	326	99.9%	945	99.9%	.344	100.1%	112	99.9%	143	100.1%	14	99.9%	16	100.1%	154	100.1%

TABLE 4

Public Welfare Division Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Japanese	466	53.3%
Caucasian	141	16.1
Native Hawaiian	105	12.0
Chinese	59	6.7
Filipino	40	4.6
Black	3	0.3
Korean	2	0.2
Others	59	6.7
Total	857	99.9%

TABLE 4A

Racial Characteristics of Public Assistance Recipients, November 1978

Ethnic group	No.	%
Native Hawaiian	23,456	23.5%
Caucasian	18,958	18.3
Filipino	11,114	10.7
Mixed	8,946	8.6
Samoan	6,741	6.5
Japanese	6,415	6.2
Chinese	1,487	1.4
Puerto Rican	1,149	1.1
Korean	1,079	1.0
Black	832	0.8
Other	2,078	2.0
Unknown	19,754	19.0
Missing data	869	0.8
Total	103,749[a]	99.9%

[a] Includes duplicated count from food stamp only and medical needy only cases.

to the general population, Native Hawaiians, Samoans, and Puerto Ricans were overrepresented; Caucasian, Japanese, Chinese and Korean groups were underrepresented while Filipinos, blacks, and those who were grouped as "mixed" were nearly proportionate to their numbers in the population-at-large (see table 4A).

Corrections Division. Table 5 shows that Native Hawaiians constituted almost one-third of the corrections work force. Caucasian and Japanese employees followed next, accounting for about one-fifth of the total correctional workers, respectively (see table 5).

In examining table 5A, Native Hawaiian offenders (Hawaiian and part-Hawaiian) represented a disproportionate number relative to their numbers in the general population, accounting for almost 50 percent of

TABLE 5

Corrections Division Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Native Hawaiian	138	32.9%
Caucasian	96	22.9
Japanese	86	20.5
Filipino	27	6.4
Chinese	15	3.6
Black	9	2.2
Korean	4	1.0
Others	44	10.5
Total	419	100.0%

TABLE 5A

Ethnic Background of Offenders Under Corrections and Hawaii Paroling Authority Jurisdictions, February 1978

Ethnicity	Corrections Division		Hawaii Paroling Authority	
	No.	%	No.	%
Caucasian	50	12.4%	37	11.5%
Chinese	6	1.5	3	0.9
Filipino	35	8.7	36	11.2
Hawaiian	9	2.2	5	1.6
Part-Hawaiian	180	44.6	125	38.7
Japanese	24	5.9	20	6.2
Korean	2	0.5	3	0.9
Black	12	3.0	7	2.2
Portuguese	17	4.2	28	8.7
Puerto Rican	27	6.7	14	4.3
Samoan	21	5.2	14	4.3
Others	15	3.7	3	0.9
Unknown	6	1.5	28	8.7
Total	404	100.1%	323	100.1%

Source: Ethnic background of population under jurisdiction of Corrections Division and Hawaii Paroling Authority, computer printouts as of Feb. 28, 1978, Office of Correctional Information and Statistics, Intake Service Centers, State of Hawaii, pp. 39–40.

the total offenders under the jurisdiction of the corrections division. Caucasians were the next largest group of offenders followed by the Filipino, Puerto Rican, Japanese, and Samoan groups (see table 5A).

Hawaii Paroling Authority. Among the paroling authority 21 employees, Japanese workers represented the largest single group with 10 employees or 47.6 percent. Caucasian, Native Hawaiian, and Chinese followed in that order (see table 6).

In contrast, the largest number of parolees were represented by Native Hawaiians (Hawaiian and part-Hawaiian) who constituted over 40 percent of those under parole supervision. Caucasian ahd Filipino

TABLE 6

Hawaii Paroling Authority Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Japanese	10	47.6
Caucasian	4	19.0
Native Hawaiian	3	14.2
Chinese	3	14.2
Others	1	5.0
Total	21	100.0%

TABLE 7

Hawaii Housing Authority Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Japanese	161	47.9%
Native Hawaiian	66	19.7
Filipino	31	9.2
Caucasian	29	8.6
Chinese	22	6.6
Korean	3	0.8
Black	2	0.5
Others	22	6.5
Total	336	99.9%

were the next largest parolee groups, together accounting for over one-fifth of the total number of parolees (see also table 5A).

Hawaii Housing Authority. The housing authority had a staff complement of 336 as of April 1978. Of this total, 161 or 47.9 percent were Japanese employees. Native Hawaiians, 66 employees or 19.7 percent; Filipinos, 31 staff or 9.2 percent; Caucasians, 29 employees or 8.6 percent; and Chinese, 22 personnel or 6.6 percent followed in that order. Koreans, blacks, and others represented the remaining balance (see table 7).

Table 7A shows that among the 5104-occupied public housing units (which include both Federal and State-financed projects), Native Hawaiians and Filipinos represented nearly 40 percent of the total tenants. Samoans, 16 percent, Caucasians, 15 percent, and Japanese, 13 percent followed in that order (see table 7A).

Vocational Rehabilitation and Services for the Blind. Of personnel in the division of vocational rehabilitation, 111 employees or 57 percent were Japanese, 33 or 17 percent were Caucasians, and 28 or 14 percent were Chinese. Smaller proportions were represented by Native Hawaiians, 5 percent; Filipino, 3 percent; and Korean, 1 percent (see

TABLE 7A

Ethnic Background of Heads of Families[a] in All Public Housing Projects, June 1978

Ethnic group	No.	%
Native Hawaiian	1,012	19.8%
Filipino	985	19.3
Samoan	801	15.7
Caucasian	776	15.2
Japanese	677	13.3
Puerto Rican	268	5.3
Korean	250	4.9
Chinese	183	3.6
Black	32	0.5
Others	120	2.4
Total	5,104	100.0%

[a] Includes women as heads of household.

TABLE 8

Vocational Rehabilitation Employees By Ethnic Background, April 1978

Ethnic group	No.	%
Japanese	111	56.9%
Caucasian	33	16.9
Chinese	28	14.4
Native Hawaiian	10	5.1
Filipino	6	3.1
Korean	2	1.0
Others	5	2.6
Total	195	100.0%

table 8). Unfortunately, no data relating to clients' ethnic backgrounds were available at this point in time.

Issues and Problems Areas

The data relating to personnel clearly show the visibility of Asians and Pacific Islanders throughout the department of social services and housing. Because Hawaii's people generally perceive others as well as themselves in ethnic-specific terms, the resulting impression is not that Asian Americans and Pacific Islanders are well represented but rather the Chinese and especially the Japanese are overrepresented in the department. On the other hand, a reverse pattern in the ethnic distribution among the recipients of service is also indicated. This can and has created tensions, strain, and intergroup conflicts among the various Asian and Pacific Islander groups as well as with white and other nonwhite groups. In addition to the struggle to obtain access to employment opportunities, racial tension and intergroup conflicts are also generated by way of the provider-consumer relationship when the client's perception of the provider of service is predominantly of one ethnic group.

And while a perspective of history is essential in understanding the present state of affairs, other issues must be examined. One such factor is the merit or civil service system—a system which evolved out of a concern that government workers should not be vulnerable and subject to political patronage. The development of the civil service system, however, has also become bureaucratic in terms of its detailed rules and regulations, procedures and processes, and, more significantly, the precise "minimum qualifications" which call for some form of credentials in the form of education, training, and work experiences which may at times be irrelevant.

Although the concept and principle of recruiting, screening and hiring based on merit appears to be widely accepted by society, are there other alternatives to which underrepresented groups can achieve some gains in public employment? One argument is that the merit system works—but the imperatives call for a better educational system and aggressive recruitment of underrepresented minorities by professional schools. Another perspective is reflected by a desire to change the laws and regulations so as to accommodate those who are able to perform certain job expectations but lack the credentials and "necessary" qualifications.

An illustration of this dilemma was found in a recent intraagency memorandum relating to minimum qualification requirements for computer programmer series:

> The substitution of four years of work experience in place of education is okay. However, in past experience, I have found some inconsistencies in the State's educational structure which causes problems when graduates from the community colleges with computer science or information science associate degrees do not qualify for the Computer Programmer I trainee level position. This is an example of a product of the State's educational system not able to find a job within the State government. A level below that of a Computer Programmer I should be included in the class specifications to allow for a community college graduate to enter the system.

The reduction of minimum qualifications and other changes in the regulations are not anticipated, however, due to the rise in the number of college graduates and decreasing job opportunities. In addition, opposition and resistance to such changes may be expected from professional associations, unions, and even clients themselves who might object to being denied services from a "professional."

Some Action Alternatives

On the other hand, there are certain courses of action which can have potential impact on the ethnic distribution of service providers. One relates to the concept of "selective certification" utilized in Hawaii in which applicants can be recruited and hired on the basis of certain skills and abilities required by the position, e.g., bilingual capabilities and the applicant's location of residence—the latter underscores the value of a worker's familiarity with the service area, problems and community resources, especially in rural, isolated neighborhoods.

The modification of certain professional job descriptions leading to changes in the required minimum qualifications is another alternative to achieving some ethnic balance among service workers. This, however, presents other problems such as reclassification and possible downgrading of salary. In addition, without an upward mobility mechanism, i.e., a promotional opportunity ladder, changes limited to the entry level would continue to reflect an ethnic imbalance in view of the current educational attainment or lack of by particular ethnic groups.

Another option available to administrators and other hiring authorities is the development of a keen sensitivity of the current ethnic composition of their staff. By keeping a constant pulse of the staff composition, the selection of underrepresented group applicants can be accomplished assuming that underrepresented applicants are on the eligible list. When there is a lack of such applicants as Filipino, Samoan, and Native Hawaiian candidates, however, the issue becomes more complex in terms of the undersupply of trained workers among these groups. Increasing the manpower of these groups and concentrating on their career preparation and development are immediate goals but a process which requires long range planning and time. But perhaps the action should start with the educational system, especially with professional schools in making their curriculum relevant and demanding the enrollment of underrepresented ethnic groups.

Summary and Implications

To the Asian American and Pacific Islander living on the mainland, the situation in Hawaii may appear enviable and a shining example of what Asian and Pacific Islander groups point toward in their struggle for equal access to employment and services. Yet, Hawaii may be more complex and unique than the fact that there is no majority group. One of the unique features of Hawaii is the uncommon use of the term Asian American and Pacific Islander. And yet ethnicity in politics, social relationships, and economic arrangements represents a highly sensitive element—perhaps more so in Hawaii than on the mainland.

Although this paper compared the ethnic distribution of the State population with the ethnicity of the department's employees, this comparison should be viewed with a recognition of the historical and cultural factors which contributed significantly to the current proportional distribution of the work force in general and the department's staff in particular. Despite an understanding of the historical factors which reflect the current situation, there is no gains saying that the reverse patterns of the ethnic distribution of the recipients should be a concern among service providers who are Asians and Pacific Islanders.

To achieve some balance for groups underrepresented in the work force, several alternatives relating to the merit system and its processes as well as inherent dilemmas were discussed. The problems, however, may be more fundamental and yet complicated, encompassing social—economic factors, cultural norms and values, and vocational orientation—pointing toward the need for educational reforms and the preparation for these groups to obtain their education and credentials.

While structural and system changes can address institutional barriers and discrimination, a high level of sensitivity about the plight of the disadvantaged, underrepresented group must be developed by those of us in the work force. To explain our history and struggles and feel an inner strength are not enough—the responsibility rests with us to continue seeking and promoting equal treatment in employment and access to services for those who are different from us.

The Chinese Cultural Center

by Helen Fugh Hayes*

The Chinese Cultural Center is a nonprofit, tax-exempt bilingual organization with the primary objective of helping the Washington, D.C., metropolitan area's Chinese community members help themselves become independent and self-reliant individuals able to function in our society.

The center was originally formed in 1970 as a result of a meeting held with concerned community members, the dean of the adult and community education division of Federal City College (now the University of the District of Columbia), and myself to discuss the problems that existed in the Chinese community and possible means to help community residents deal and cope with the problems that faced them.

Federal City College responded warmly to our request for any assistance that they could offer to help us get started, providing us with office space and small office supplies. This was the beginning for the center and we greatly appreciated the provisions.

Staffed with volunteers (approximately 15), we began reaching out to the community by offering English classes for the non-English-speaking residents, citizenship classes, family planning and health care classes, all taught by bilingual volunteers.

Volunteers offered income tax preparation services; law students offered to help with legal problems by referring cases to area legal service centers.

Those volunteers that did not teach, offered other valuable services, like accompanying elderly patients to and from city medical centers and serving as interpreters for the non-English-speaking patients. Prior to 1970 there were no such bilingual services available.

In January 1973 the center became incorporated with the corporate title: *The Asian American Bicentennial Corporation.* As a multiservice nonprofit, tax-exempt organization, it was developed to promote better understanding between peoples of different cultures and to serve the needs of the Chinese community. We were incorporated as such, also, in commemoration of the 1976 bicentennial era.

In April 1973 the center moved from 740 6th St., N.W., to 711 8th St., N.W., Room 179; a building adjacent to and owned by the Calvary Baptist Church. Though located at the church, the center is independent and non-church related.

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The center moved to Calvary because we did not have the funds to pay the rent at the Sixth Street address; the church gave us space rent free.

In May 1975 the Chinese center received funding from U.D.C. (formerly Federal City College) as a cooperative extension service of F.C.C.; the money that was granted us was only for adult education and coordination of the Center with the city government.

This money enabled us to finally have three paid staff members. Up until 1975, no one was paid and all funds necessary to run the center were from donations, contributions, and money made from activities such as street bazaars and the like.

To fully understand how our center meets the needs of the Chinese community, it is first necessary to discuss the community problems.

We have found that the most serious problem existing in the community is the English language problem. Many of the residents do not speak or understand English, therefore creating more tension and pressure that effect other problems.

It is difficult enough to live in another country that has a completely different cultural background as well as a language difference. Many new immigrants face a culture shock when first arriving in this country, and many of those who have lived and worked here for many years still are not aware, or have understanding, of American lifestyles.

For these reasons, many Chinese residents are at more of a disadvantage than other minority groups in this country.

For example, the large majority of the elderly Chinese residents do not speak English. They have been in this country for 20 or 30 years and have been working here for as long. Some are eligible for social security benefits and do not realize it. Others may be afraid of applying for fear of deportation since many of these older people came here without visas and are still afraid of being deported. Some do not even know how or where to apply for their benefits.

For these cases, the center applies for social security for those that are eligible. Those that are not, we apply for public assistance for them. Quite a few of the senior citizens had worked for years in the U.S. but either were never told of such benefits or their employers never took out the social security taxes. We help get public assistance for these people as well.

For the senior citizens and the rest of the community, citizenship is a problem. Many would like to receive citizenship papers, but do not know enough English to take the exam and have had no preparation for it. This is why our English classes and our citizenship classes are invaluable.

Citizenship is of great concern for the elderly because these people have worked and lived in this country for so many years and have given their services to this country; yet they are still unable to obtain the citizenship. The problem again is English. It is very difficult at the age of 60 or over to learn a second language. Six of our elderly members tried so hard to learn enough English to prepare for their citizenship exams and failed. These same six have lived here for more than 25 years.

We would like very much to help these particular cases receive their papers without having to take this exam, and we have made this one of our objectives for the future.

Fortunately, our English and citizenship classes have benefited others. In this past year alone, seven community residents have passed the exam and have received their citizenship as a result of our classes.

Housing is a gravely serious problem in the area; the housing shortage affects all the Chinese community but it affects the elderly twofold. The center helps find available housing and places the elderly and families whenever it is possible. This is why we are working on developing cooperative housing in the community in association with the appropriate agencies. We have already held workshops pertaining to cooperative housing for the elderly.

Associated with the housing problem is the tenement condition of many of the buildings in which they reside. Again, there has been, in the past, no recourse available to these people because of fear of deportation and the inability to speak English. Others may not know where they should turn to for help. Therefore, the center has been making legal referral services available, serves as a site for such services, and now has, in coordination with legal services, a bilingual representative who helps the people with such legal problems as landlord-tenant and immigration cases. Such cases are coordinated with the legal neighborhood services.

Along these lines we also promote the Sino-economic community development for the Chinese business community. An example of the way we help this cause is last year's summer street fair publication of a guide and map of the Chinese business community.

The center also has held workshops concerning the possibility of relocation of families and businesses because of the Eisenhower Civic Center. This is of grave concern for the community people. Chinatown is their place of security, their roots in America, where they know and feel secure; we are trying to help deal with the feelings they have about such possible relocation.

Health problems are not as prevalent as they were prior to our opening in 1970. There were cases of tuberculosis gone untreated and not diagnosed because of lack of money and fear of American hospitals and doctors. This is certainly understandable since we are talking about the elderly who do not speak English.

General hygiene was the main health problem. In coordination with the department of human resources, the Center has held health classes since 1970. We have a bilingual nurse from the department to teach. We have nutrition classes as well, and we are aiming at having home economics classes for the homemakers in the community.

In coordination with U.D.C., we have held weatherization and home improvement clinics, hoping to help the community learn how to care for their homes and save money by doing many things themselves.

Job opportunities is a major concern for any minority group in this country. Lack of English language skills again and again poses as the major hurdle for the Chinese. If one has skills and is non-English speaking, there is nothing, and one gets lost in menial jobs that are still stereotypically "suited" for non-English-speaking minorities. Included among these jobs is restaurant work that demands 12 to 14 hours a day with way below the minimum wages paid, and rarely, if ever, any benefits. The reason for this again is that some are here illegally without visas; others are too afraid and unaware of any help available to them. Many are exploited not just by majority Americans but by their own people as well.

With this problem in mind, we did a vocational counseling clinic in 1978, provided educational guidance (English) and referral services for job training and possible future employment in conjunction with UPO and other city agencies. The clinic turned out to be a success and we hope to develop it further if we can get more funds for staff and necessary materials.

With these problems in mind, we must realize that these conditions have existed for so long; the Chinese community has been treated as a separate entity, apart from the mainstream of American society since our beginnings in the United States because white Americans have often stereotyped the Chinese as passive people with no real social and educational problems and because the treatment of Asians has been related to American foreign policy toward Asia.

Americans have viewed Chinatowns (even the name is given with lack of any cultural awareness) as places to visit on Chinese New Year, a great place to dine out, and a good source of revenue.

With the services provided by our Chinese communities, it is difficult to understand why these same communities and individuals within the communities are receiving no aid in their efforts to promote self-help programs like the center has developed. Social welfare is not what we want or need. There are some cases when it is necessary to utilize the social welfare agencies, but our main goal is to help individuals stand on their own feet and function as integral parts of the community and our society. They must learn the language in order to survive in this country, to enable them to be aware of the American lifestyle, and to learn of possibilities open to them.

The center does not want to perpetuate an attitude of neglect and irresponsibility that these people have encountered, which leads to hopelessness and dependency.

Coupled with the deficiency in English is the general lack of understanding of American lifestyles and the inability to function in the U.S. We need to develop English language skills and basic understanding of banking policies, procedures to obtain credit, and the proper use of capital, life insurance, and house insurance. All these and more need to be taught in order to understand and fill out applications, forms, and meet necessary requirements.

The center has been serving the community in an attempt to meet all the various needs of the people as two organizations: the Chinese Cultural Center (the Asian American Bicentennial Corporation) and the Chinese Extension Center, with the D.C. Cooperative Extension Service of the University of the District of Columbia, and we have hopes to offer more programs and services in the future.

Under the auspices of these two organizations, we have other programs as well as those mentioned previously. We have a senior citizens' club with a membership of 246. The club holds dinners every Wednesday night; the dinners, prepared by our senior citizen volunteers, are sold for $1, since this function is self-supporting. The dinner serves as a social function for the elderly, since many do not drive, and the Center is in easy access and within walking distance for them. For many of these people, this is their only outing; they stay in their rooms and have little contact with other people. This way they share conversation and meet new people. For others, this dinner serves as one hot meal because many do not have cooking facilities in their rooms.

The center functions as the senior citizen nutrition site, Monday through Friday at noon, in cosponsorship with the Washington Urban League. We have four senior citizen aides that are funded through CETA that serve the meals at noon and have also been trained to help with office work.

There is a women's club that acts as a self-help group where the women of the community meet at the center once a month and do Chinese tailoring, organize bake sales, and other activities to help raise funds for the Center. This, too, is an opportunity for the women of the community to get together and meet new people and share experiences.

We had a 4-H Club program associated with Federal City College in 1975 when we had four winners from the Washington, D.C., area go to Chicago. One of the winners was a youth from our program and it was a great experience for him. Unfortunately, we no longer have this program because of the lack of funds, space, and manpower needed to provide for this program. Hopefully, in the future, we will be able to offer more programs such as this and will be able to expand on the programs already existing.

We have accomplished much in the past 10 years and there is still more to do.

We have translated and published the directory of adult education and vocational training services manual in D.C.; we have promoted the economic growth and development of the business community by our publication of the map and guidebooks; we have conducted workshops concerning housing problems a possible relocation. Our health care program has been very beneficial to the community and continues to be such our legal aid services are needed and are always being utilized, and now we have a bilingual neighborhood legal services representative. Our vocational counseling and job opportunity clinic was successful and is direly needed in the community; our English and citizenship classes have proved successful and beneficial; and we have strived to work in cooperation with all other public and private organizations to promote total community development and cohesion.

Our future plans include trying to get more funding to develop further in our programming. Our classes and services could be much more effective with skilled, trained instructors and counselors and with quality materials.

Being in coordination with the appropriate social and city agencies would further our endeavor to meet the needs of our community by getting funds to hire and train bilingual liaisons or representatives between our Center and these agencies. Bilingual education is stressed constantly because of the urgent need for this type of service.

Putting the Chinese community residents on public assistance is not solving the problem, but enhancing it. Shuffling non-English-speaking people through agencies and programs not geared to handle this problem is not the solution either.

The center, being centrally located, is easily accessible to the people as well as the only place where bilingual services are available.

In the past, Chinese communities often had their own "mayor" who was recognized by city officials as a liaison. City officials assumed little or no responsibility towards the Chinese people themselves, but they were and still are willing to use services provided by the Chinese (e.g., restaurants, cultural activities, etc.) as well as revenue collected from the community.

The Chinese community alone cannot resolve the many problems it faces. Therefore, we must continue our work in the community, with our social services, cultural activities, and, most importantly, our educational and job development programs.

Yet, for us to be effective, we need funds to obtain adequate space, teaching materials, and hire skilled and trained bilingual staff.

We are trying to become coordinated with all the appropriate agencies within the city so as to reach all the people and meet all the needs.

With the sincere dedication of our volunteers, of those who contributed both time and money, and with the help of U.D.C., we have gotten where we are today and have achieved many things in 10 years.

With more help, we can achieve even more, and reach even more people.

We are striving towards even more goals in trying to become even more effective in the Chinese community. We are not asking for welfare but a chance to let these people develop themselves through various self-help programs through the center.

Community Services—State and Local Policy

by Victorina Peralta*

I. Introduction

For the record, I would like to make it clear that I am here not in my capacity as director of adult and aging services, Philadelphia Department of Public Welfare. I am using my vacation so that I can participate in this consultation. I speak for the Delaware Valley Association of Pilipinos, for the Asian American Council of Greater Philadelphia, for the Pacific/Asian Coalition, and for Asian Americans who are victims of institutional racism.

I am deeply concerned because our State and local policies are rather repressive, discriminatory, regressive, and, at times, even punitive to Pacific/Asian Americans. For, indeed, the blatant discrimination against Pacific/Asian Americans is now gone, but a more subtle, more sophisticated, highly systemic, and scientific form of institutional racism against Pacific/Asian Americans now exists.

As a social worker born and raised in the Philippines, I immigrated to the United States of America at the age of 45 with 18 years of experience as a social work practitioner, researcher, and community organizer. I had high hopes at that time that as a social work practitioner I would be able to serve people better in general and Asian Americans in Philadelphia in particular, because in the United States of America there are those certain democratic ideals about *access* to services; *availability* of resources, as well as social and health *supports.* I firmly believed at that time also that in this rich and powerful country, which was to be my new-found home, there would be equal opportunity for the goods of society regardless of race, color, or creed.

That was 15 years ago, but now as a naturalized U.S. citizen whose mission remains in the field of social work practice, I can honestly state that those democratic ideals about equal opportunities regarding *access* to services, *availability* of resources, as well as social and health *supports* for Pacific/Asian Americans are a myth rather than a reality.

I said this because the Pacific/Asian Americans in this country are either underserved or unserved due to local and State policies that are not responsive to their needs. Based on the findings of outstanding Asian American researchers, among them William Liu (1973), Bok-

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Lim Kim (1974), Harry Kitano (1975), Juanita Tamayo Lott (1976), Juanita Burros (1977), Sharon Fujii (1978), Pacific/Asian Americans are indeed not receiving many of the community services they are entitled to.

II. Statement of the Problem

In Philadelphia, for instance, Dr. Herbert Horikawa and I did a "Potentialities and Needs Assessment Study of the Asian American Elderly in Greater Philadelphia" in 1978, and our findings document the facts beyond doubt, that the Asian American elderly in Greater Philadelphia are not receiving the services that are theirs by right. This is true not only in Philadelphia; the same condition exists in various urban cities of the U.S.A., especially on the east coast. For the record, I'm submitting a copy of the Philadelphia study with my presentation herewith.

Part of the problem lies in the fact that the Pacific/Asian American population has never been adequately represented politically—outside of Hawaii—thus the establishment of political, social, economic, and health priorities has failed to reflect our needs and wants. Attempts by many Pacific/Asian Americans to change our lot have been thwarted by a formidable wall of institutional resistance.

As a result, and in reality, Pacific/Asian Americans are very much deprived with regard to *access, availability,* and *support* regarding our: 1) rights, 2) entitlements, and 3) benefits.

Take, for instance, U.S. Government policies (Federal, State, and local). In spite of its good intent to make services, entitlements, and benefits accessible and available to all its citizens regardless of race, color or creed, somehow they fail to address the specific needs and wants of Pacific/Asian Americans.

Likewise, in the allocation of funds, we, the Pacific/Asian Americans, are shortchanged in a countless number of ways.

Thus, where our rights, benefits, and entitlements are concerned, it is at this time and point safe to state that many of those rights, benefits, and entitlements are not as yet as accessible or as available as they should be to Pacific/Asian Americans.

III. Rationale For the Statement of the Problem

At this point of my presentation, I will cite some samples of how we, the Pacific/Asian Americans, are victims of unfair government (Federal, State, and local) policies in terms of access and availability of resources, as well as, social and health supports.

Because of the 10 minute time limit allotted to me, I will confine my presentation to only eight concerns, although there are a lot more. They are:

Concern No. 1: The 5-year residency requirement policy
Concern No. 2: Fund allocation and appropriation formula
Concern No. 3: The SSMs—The "Boxing In" approach by government
Concern No. 4: Public health services
Concern No. 5: Restrictive and discriminatory licensing and hiring practices and policies
Concern No. 6: Application-for-funds process
Concern No. 7: Unmet needs of Pacific Asian American Elderly
Concern No. 8: Other 20th Century discriminatory practices

1. The 5-Year Residency Requirement Policy

Pacific/Asian American immigrants who have not fulfilled the 5-year residency requirement to naturalize, find that they cannot obtain basic social and health services that are federally funded because they are open only to U.S. citizens.

As a result, many Pacific/Asian Americans have met with subhuman treatment by some government officials. In some instances, such abrasive treatment is more pronounced than that experienced by other immigrant groups. As a result, many Pacific/Asian Americans live in constant fear of harassment and even deportation!

Take, for instance, the way some Asian restaurant workers are "hoarded like cattle" and "grilled" to check if they are legal aliens. The INS provides no community services to immigrants except processing their papers and checking their eligibility.

2. Fund Allocation and Appropriation Formula

Allocation and appropriations in this country are based on demographic and other statistical data. The Census Bureau has acknowledged an undercount in minority population enumeration during the 1970 census, yet the allocation and appropriation of funds have continued to be based on the 1970 census. Thus, due to the acknowledged undercount in the minority population, in general, and of the Pacific/Asian Americans, in particular, it is a fact that where allocation and appropriation of funds—be it Federal, State, or local—for services and other supports, the Pacific/Asian Americans are shortchanged in a countless number of ways.

Another factor is the community input process; let us take the community development funds, for instance. The law requires that a public hearing be conducted on how to allocate these funds. The hearing notices are published in English and the hearings are conducted in English. How can non-English-speaking Pacific/Asian Americans become a part of that process? In the Pacific/Asian Americans culture, public hearings are alien to most of us. We shy away from those hearings because public hearings are not a way of life for Pacific/Asian Americans and many are scared of them for fear of being ridiculed, harassed, and embarrassed.

Another example I can cite is in relation to the allocation of Title XX funds. Again, the law requires that community input be sought in determining allocation of said funds. Public hearings are used as a tool to allow community input.

Again, the hearings are announced in English and they are conducted in English. Further, the Title XX regulations are written in such a highly technical language so that even those of us who are fortunate enough to speak, write, read, and understand English find them rather difficult to interprete in terms of services as related to the equitable allocation of funds.

3. The SSMs—The "Boxing In" Approach By Government

I'm sure that my colleagues in the field of social work practice are familiar with the SSMs, those social service memorandums which we get from time to time that stipulate the everchanging guidelines in the provision of services as well as in the allocation of funds.

Many of these SSMs tend to "box in" clients into the administrative framework, rather than respond to clients' needs, and, where the needs and wants of the Pacific/Asian Americans are concerned, these SSMs do not only "box them in," rather they "wipe them out." This is so because government (Federal, State, and local) is just not convinced that we are a minority. They seem not to define us as such because many Pacific/Asian American groups are very small and do not have central facilities; therefore, their bona fide existence is highly and unreasonably questioned.

4. Public Health Services

Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Therefore, activities of the Public Health Service, like every program or activity receiving financial assistance from the Department of Health, Education, and Welfare, must be operated in compliance with this law.

In theory, this Civil Rights Act of 1964 is lovely rhetoric. It is pleasing to read and, indeed, sweet to the ears. But, in reality, many Pacific/Asian Americans are unable to utilize health services because they cannot communicate with non-Asian health service providers. Further, many non-Asian health service providers do not have any concept about Pacific/Asian health problems.

Winter of 1964 was my first one in the United States of America. At that time, my knees began to swell and the pains were unbearable. My American friend brought me to her family doctor who gave me a thorough medical examination. This American doctor took my blood count and my blood chemistry. He also tested me for gout and for syphilis. I was so humiliated subjecting myself to a syphilis test. But I was in great pain and so I agreed to it all. After conducting a complete and thorough lab exam, he hospitalized me and he started injecting cortisone in my knees—I died a thousand deaths as those long needles punched my swollen knees.

One day a Pilipino doctor working as an intern in the hospital happened to see me in bed. We exchanged pleasantries and in the course of the conversation I told him of my knees. He examined them by tapping them with his hands. He concluded that I did not need any cortisone injections; all I needed was to wear pants during the winter, as coming from a tropical country the cold winter months made my joints swell.

I then left the hospital against doctor's advice and I began to wear pants and drink plenty of orange juice. Since then I've never had problems with my knees. Yet the Pilipino doctor was used as an intern with the responsibilities of a resident doctor at that hospital.

5. The Affirmative Action Plan

Many recent immigrant Pacific/Asian Americans were admitted under occupational preferences and are of professional backgrounds. Yet language and cultural barriers coupled with licensing restrictions prevent them from practicing in their professions. As a result, many are forced to work in menial low-skilled, low-paying jobs. For instance, the affirmative action plan, where Pacific/Asian Americans are concerned, is a farce. To wit: I would like to emphasize that no Asian Americans have been selected for long term training by State, AID, or ICA for at least the past 6 to 7 years—training which is generally a steppingstone to higher responsibility.

Time-in-grade for Asian American employees is substantially longer in almost all grades in AID at this point. I quote a portion of the letter sent to the Honorable Cyrus R. Vance, Secretary of State, dated May 4, 1979, by Mr. Wayne Ching, chapter president of the Asian and Pacific American Federal Employee Council [APAFEC]:

> We pointed out to the Task Force in June 1977 that no Asian Americans held any high level positions either in State or AID (except for Patsy Mink who later resigned), and we called for, among present employees (FSs, FSRs, GSs), in State and AID and from among the Asian American community at large to be selected for executive positions.

To date we have not received any response to our letter mentioned above and based on available data no major senior appointments of Asian Americans have taken place in foreign affairs. Thus, after 2 years there are still:

A. State

1. No Asian American Assistant Secretaries (except for Patsy Mink who later resigned in 5/78)

2. No Asian American Deputy Assistant Secretaries

3. No Asian American Ambassador and Deputy Chief of Mission

4. No Asian American Principal Officers

5. No Asian American Country/Office Directors (Dr. Luke Lee's office directorship was abolished in 5/79)

6. No Asian American GS-16–18s—highest is GS-15

7. No Asian American FS-1s (only one FSO-2)

8. A few Asian Americans in mid-level GS grades

9. A few Asian Americans in mid-level FSO grades

B. AID

1. No Asian American Assistant Administrator

2. No Asian American Deputy Assistant Administrator

3. No Asian American Mission Director/Deputy Mission Director

4. No Asian American Office Director with supergrade rank

5. No Asian American FSR-1,-2s; highest is FSR-3

6. No Asian American GS/AD-16–18s; highest is GS-15

7. No Asian American in the higher FSS levels

C. ICA

1. No Asian American Assistant Directors

2. No Asian American PAOs

3. No Asian American FS10-1, -2s; highest is FS10-3

4. No Asian American GS-16–18s; highest is GS-15

> Mr. Secretary, can it truthfully be said that not one of the Asian American employees is suitable for a senior position and none can be found in the community at large?

Until this inequitable situation is remedied, it cannot be asserted as the President does in his proclamation for the Asian/Pacific American Heritage Week that: "We have succeeded in removing the barriers to full participation in American life."

6. Application-For-Funds Process

This is quite a tortuous process, and to illustrate my point I share with you the experience of one of my Pacific/Asian American colleagues, Dr. Leslie Hiraoka from the JACL, New York Chapter. Sometime in 1976, he applied to the ethnic heritage studies program of the Office of Education for a grant to enable him to study Japanese Americans and Japanese nationals in the New York metropolitan area. His project was not funded yet it is interesting to note that some Japanese corporations funded part of the study, even though the study was primarily of Japanese Americans in the New York area. As a matter of fact, very few Asian American projects are funded by the Federal, State, or local government or by foundations.

I can think of four reasons why this is so, namely:

1) Definition of minority: What is a minority?
2) Legitimacy question—many Asian American organizations are not considered legitimate–even the JACL with 96 chapters and with over 30,000 members is not considered legitimate.
3) Lack of identity due to the Pacific/Asian American's diversity, invisibility, ethnocentrism.
4) The myth that "Asian Americans have got it made."

7. Unmet Needs of Pacific/Asian American Elderly

It is hard for me to be nice and polite when I speak of this subject because of my emotional and geographical proximity to these concerns. I said this because, since 1970, I have been calling attention of government about the needs of our Asian/American elderly in Greater Philadelphia.

In 1969 I was told, "But where are those Asian American elderly?" So in 1969, with the help of some Pilipino leaders in Philadelphia, I organized and founded the Delaware Valley Association of Pilipinos (DVAP) with a senior citizen program for our Pilipino elderly. We were told that we could not be funded because DVAP was not a legitimate organization.

Thus, in January 1972, I organized the Asian American Council with specific concerns for the Asian American elderly in Greater Philadelphia. Later on, in October 1972, Dr. Marshall Jung joined efforts with us and Dr. Jung expanded the council to include other concerns. In 1974 the council was duly incorporated and finally, with a juridical personality, we approached our area agency on aging (PCA) to secure some funds for services to Asian American elderly. We were asked for some data: Where are they? How many are they? etc.

Therefore, in 1976, we advocated for a minority conference in Pennsylvania and for the first time the Asian American elderly in Pennsylvania received a small funding to attend this first minority conference composed of blacks, American Indians, Puerto Ricans/Mexican Americans, and Asian Americans.

As a result of that conference, the Asian American Elderly Coalition was organized and the coalition officers, namely, Rev. Yam Toh Hoh, Chinese American; Mrs. Jeung Lung Kim, Korean American; Mr. Hiroshi Uyehara, Japanese American; Mr. Jose Alegarkes, Pilipino immigrant went again to our area agency on aging to explore fundings for services and programs. At that time, they were told, "Where are your data? Where are the Asian-Americans?" Thus in 1977–78, we did a study of the "Potentialities and Needs of Asian American Elderly in Greater Philadelphia" (V. Peralta and H. Horikawa, 1978) which documented the need for services to 3,500 Asian American elderly in Greater Philadelphia. A copy of this study is attached herewith.

As of this date, there are in Philadelphia 32 multiservice centers funded by the Philadelphia Corporation on Aging. The Philadelphia Corporation on Aging has a $12 million budget; yet as of this date the needs of Asian American elderly in Greater Philadelphia are not yet being addressed nor being met! Reasons—the same four reasons why Dr. Leslie Hiraoka'a project from the JACL in New York was not being funded, I suspect, are the basis for nonfunding in spite of the documented needs. Our Philadelphia experience is replicated in other parts of the east coast where older Pacific/Asian Americans are not receiving their services.

Other 20th Century Discriminatory Practices

As for other discrimination practices, take, for instance, the recent campaign to boycott Japan and her products to ensure the survival of whales! I sincerely believe, based on my readings and on what I see and hear, the whaling industries of Japan go into cat and dog foods here in U.S.A. Therefore, in reality, it is the American pet owners who are subsidizing the whaling industries, not only in Japan, but also in Russia, Norway, and other European countries. Yet such facts are not brought out by the many U.S. ads and press releases; focus of said ads and press releases is against the Japanese whaling industry. In various schools, colleges, and universities, most of the books available in libraries are those that degrade Pacific/Asian Americans. For instance, a book on the "Philippines" in a public school library depicted Pilipinos as wearing G-strings, barefooted, squatting at a bamboo floor in a nipa shanty eating with their fingers! Thus, my grandchild in the same school was bluntly asked by one of his classmates: "Do your parents know how to sit properly at a dinner table and eat with knives and forks?" In another instance, my youngest son, age 20, one day came home and asked me, "Mama, what is meant by "*You do not stand a Chinaman's chance?*" Oftentimes, we are also called "Japs," "gooks," "slant-eyed," "pugged nose." This is racist language and we certainly do not appreciate it.

IV. Recommendations

Just as I presented you with eight concerns, I also offer eight recommendations, namely:

Concern No. 1: The 5-Year Residency Requirement Policy

I recommend that the government (Federal, State, and local) be mandated *not* to withhold services to their future taxpaying citizens. In this connection I call attention to the precedent that has already been set in the Supreme Court decision on the *Graham* v. *Richardson* case: "that aliens are entitled to equal rights in the receipt of state welfare benefits based on the 14th Amendment."

Secondly, I propose that a national Asian American advisory board be created and be properly staffed and funded to enable it to do its job effectively so that the INS as well as the Departments of State and Labor will be more humane in processing and treating Pacific/Asian Americans.

I further recommend that the INS create a human service division within its structure to provide followup human services to immigrants to ensure that they are not abused, neglected, or exploited.

Concern No. 2: Fund Allocation and Appropriations Formula

I recommend that, since the Census Bureau has acknowledged an undercount in minority population, the 1970 census should not be the basis of determining allocation and appropriation of funds. Instead, Pacific/Asian American community self-help groups should be funded, not based on that census, but based on current studies made by Pacific/Asian Americans on the socioeconomic and health needs of the Pacific/Asian Americans.

I further recommend the use of the current population survey (CPS), which is done monthly, rather than the 1970 census. It would be helpful for policymakers to collect the CPS on a cumulative basis up to 1980 so that a more adequate indicator related to the

Pacific/Asian American social statistics, social conditions, and societal goals can be accurately collected upon which to base decisions in the allocation of funds for this neglected minority group. Further, public hearings should not be the only tool for community input in determining how public funds should be used. I recommend town meetings with non-English speaking groups conducted by bilingual government staff (Federal, State, and local) to be conducted in a manner that is conversant to and respectful to the culture and traditions of Pacific/Asian Americans. Further, I recommend that announcements for hearings and/or town meetings should be multilingual.

Concern No. 3: The SSMs—the "Boxing In" Approach

I recommend that studies be conducted and funded by government agencies to determine the scope, depth, and complexities of the Pacific/Asian Americans needs. Such studies will no doubt help and enable government to keep from "boxing in" people in their administrative framework.

Concern No. 4: Public Health Services

I recommend the creation of a Pacific/Asian American social service and health council by Executive order of the President to ensure that Pacific/Asian American social service and health needs are not neglected in the establishment of the country's political, social, and health priorities. I highly recommend the integration of social service and health functions into a unified Pacific/Asian American Council to prevent a fragmented approach that is health versus social service.

Concern No. 5: Restrictive and Discriminatory Licensing and Hiring Practices

I recommend programs in language training (reading, writing, and comprehensive), job training, and vocational education geared towards Pacific/Asian American needs be designed, funded, and implemented on an ongoing basis. Least restrictive alternatives for licensing and hiring practices must be developed with input from Pacific/Asian Americans.

Concern No. 6: Application-For-Funds Process

I recommend the recruitment and training of Pacific/Asian Americans for decisionmaking positions within the various government agencies that allocate funds for various projects and services. As decisionmakers, these Pacific/Asian Americans can help balance the unequitable and discriminatory distribution of funds.

I further recommend that: Minority be defined as *"minorities of color."* By confining the definition of minority to *"minorities of color,"* there can be a good safeguard in guaranteeing that the Pacific/Asian Americans are given an even chance. By minorities of color I suggest:

black Americans, American Indians, Pacific/Asian Americans, Puerto Ricans/Mexican Americans.

Concern No. 7: Unmet Needs of Pacific/Asian American Elderly

I recommend that the Administration on Aging immediately recognize the needs of older Pacific/Asian Americans and fund special programs on their behalf. The Administration on Aging should take special effort to recruit and employ older Pacific/Asian Americans, particularly in Washington, D.C., offices, which, to my knowledge, as of this date, employ none!

I recommend government funding for research and demonstration projects to determine how older Pacific/Asian Americans can be effectively assisted based on their needs, cultural differences, values, traditions, and desires.

Concern No. 8: Other 20th Century Discriminatory Practices

I recommend that the Federal Communications Commission (FCC) issue specific and stricter rules and regulations about unethical ads and press releases that are discriminatory to Pacific/Asian Americans in particular and to all people in general.

I propose that the Department of Education set up a Pacific/Asian American advisory board whose function would include, but not be limited to, reviewing libraries as well as textbooks about Pacific/Asian Americans to ensure that they are not dehumanizing or derogatory in nature. This proposed advisory board should be allowed input in curriculum building to integrate Pacific/Asian American perspectives in the total educational systems.

V. Conclusion

I extend my sincere appreciation and congratulations to Dr. Arthur H. Flemming and his staff for convening this effort. I also appreciate the privilege of sharing my concerns with you.

However, I sincerely hope that this effort is not one of rhetoric. I also hope that this effort is not meant to be a "calming bumper" to appease the advocacy by Pacific/Asian Americans everywhere. We are looking forward with great anticipation to positive changes that will begin to address the needs and wants of Pacific/Asian Americans. What I've just said is, indeed, a very tiny scratch on the surface of the many problems that face our people. For indeed, there exists very sophisticated and highly subtle racial prejudice against Pacific/Asian Americans. Race prejudice is not a polite topic, as the Honorable Judge William Marutani of Philadelphia, the only Asian judge in the whole U.S.A., stated, *"One cannot speak of it in a polite manner or in polite terms."*

I am aware that some of my statements are too strong. But if I were a Caucasian American saying these things, I would be praised as being wise, aware, sensitive to people's needs, etc. But because I am a foreign-born Asian American, I can be called a rebel-rouser, or an agitator, or even be accused of having an "axe to grind." However, I take that risk because where the welfare of people in general is concerned, specifically where the welfare of Pacific/Asian Americans is concerned, I will take any risks if there is even that tiny hope and chance to help improve our quality of life! In this instance I sincerely feel there is that hope and that chance.

And in closing, I ask this $64 question of Dr. Arthur Flemming, Chairman of the Civil Rights Commission: What is the status of the 3-year study on the CCR National Project on Asian and Pacific Island Americans which was supposed to have become the Civil Rights Commission statutory report to the President and to Congress showing aspects of discrimination affecting Asian and Pacific Island Americans, as seen in allocations from selected Federal programs?

I am aware that one of the earlier panelists, Mr. Robert Santos, executive director of International District Improvement Association from Seattle has asked this same question. One of your staff, Mr. Nunez, alluded to this 2-day consultation as a substitute for that 3-year intensive and extensive study.

Dr. Flemming and members of the Commission, I sincerely call to your attention that in no way can this 2-day consultation with us take the place of that 3-year study. Both are needed; therefore, in behalf of all the consultation panelists and on behalf of the welfare of Pacific/Asian Americans, I again ask: What happened to the CCR National Project on Asian and Pacific Island Americans? I strongly urge that it be used and disseminated not only to the President and to Congress but also to us, "your consultants," as well as to anyone interested in the well-being of Pacific/Asian Americans. Please give us your honest reply. Thank you!

Exhibit No. 1

POSITION STATEMENT
OF THE
JAPANESE AMERICAN CITIZENS LEAGUE
NATIONAL COMMITTEE FOR REDRESS

In the spring of 1942, over 120,000 men, women, children and infants—the vast majority of whom were native-born Americans—were abruptly and forcibly evicted from their homes in the West Coast states and herded into detention camps surrounded by barbed wire, watchtowers, searchlights, and armed guards.

No charges were ever filed. No hearings or trials were ever held. No credible claims of wrongdoing were lodged against these innocent victims. Yet, they were imprisoned for more than three and a half years. Their "crime"? They were Americans born of Japanese ancestry.

Never in the history of this nation has there been such blatant and gross violations of Constitutional guarantees. Seven of the ten articles of the Bill of Rights were arbitrarily suspended without supporting evidence. The actions were taken on the basis of race and race alone. As a consequence, an entire group of loyal Americans was deprived of their Constitutional rights.

Aside from the minimum of $400 million in property losses alone as estimated by the Federal Reserve Bank of San Francisco in 1942, there were other devastating damages: loss of individual freedom, destruction of personal human dignity, disintegration of family life, violations to religion and culture, loss of physical and mental health, defamation of character, and loss of income.

More than 37 years have passed since these outrages occurred.

Time is a great healer. Yet, in a historical sense, America must rectify mistakes of the past to the greatest extent possible if we, as a nation, are to continue as the best hope for mankind.

At a time when America calls upon the world to cherish and protect individual human dignity, this blot on our own history cannot be permitted to remain without some meaningful measure of correction.

Today, Americans of Japanese ancestry seek remedial legislation as a means of promoting human rights and upholding the Constitution of the United States. The campaign is spearheaded by the Japanese American Citizens League, a human rights organization with a membership of over 30,000 Americans. We call upon fellow Americans to recognize this blemish in our national history and to join us in petitioning Congress to provide redress for this grave error committed against United States citizens and lawful permanent residents.

In striving for these goals, we should be reminded that the eviction of all Americans of Japanese ancestry from the West Coast and their subsequent incarceration was the consequence of Executive Order 9066, signed by President Franklin D. Roosevelt on February 19, 1942; and that the principle of exclusion based solely on race was upheld by the United States Supreme Court, and as Justice Robert Jackson stated in dissent: "The Court for all time has validated the principle of racial discrimination in criminal procedure."

We are further reminded that a totally inadequate compensation amounting to 8½ cents on the dollar for property losses alone was paid by the government in 1948; and that President Gerald R. Ford, in rescinding Executive Order 9066 on February 19, 1976, acknowledged, "We now know what we should have known then—not only was the evacuation wrong, but Japanese Americans were and are loyal Americans."

Accordingly, the Congress of the United States is called upon to:

(1) Acknowledge as a nation that the actions taken against American citizens and legal residents of Japanese ancestry during 1942-46 were wrong and contrary to the Constitution of the United States.

(2) Award damages to the victims.

(3) Enact safeguards and provide a lasting memorial so that arbitrary governmental repression will never again victimize any group of people in the United States.

(4) Signal to all the people of the world that the United States does indeed carry out in practice the ideals embodied in our Declaration of Independence, Constitution, and Bill of Rights.

The mass expulsion and incarceration of Americans of Japanese ancestry stand as a dangerous precedent for all Americans. Redress for the victims of those governmental abuses is in the best interest of all the people and in the finest tradition of American justice.

Exhibit No. 3

Statement of

Nampeo D.R. McKenney, Chief,
Ethnic and Racial Statistics Staff
Population Division
U.S. Bureau of the Census
Washington, D.C.

Availability of 1980 Census Volume I Data on the Asian and Pacific Islander Populations

The following data have been proposed for publication for the Japanese, Chinese, Filipino, Korean, Asian Indian, Vietnamese, Hawaiian, Guamanian, and Samoan populations. The title of the 1980 report and geographical areas for which data will be shown are provided.

PC(1)-B, General Population Characteristics

I. Population counts by sex for —
  - United States
  - States
  - SMSA's
  - Urbanized areas
  - Places of 1,000 or more
  - Counties

II. General characteristics (such as relationship, age, sex, and marital status) will be presented for —
  - United States
  - States
  - SMSA's with 400 or more of the population group
  - Places of 2,500 or more with 400 or more of the population group
  - Counties with 400 or more of the population group

PC(1)-C, General Social and Economic Characteristics*

Characteristics (such as ethnicity, current language, age, relationship, family composition, place of birth, place of work, education, employment, occupation, industry, and income) will be presented for —

- United States
- States with 1,000 or more total Asian and Pacific Islander population

*Data will also be shown for the total "Other Asian" population.

MAY 8-9, 1979

PHC(1), Census Tracts

Population counts for —

SMSA's
Tracts

Data on the total Asian and Pacific Islander population have been proposed for inclusion in the following Volume I reports:

PC(1)-C, General Social and Economic Characteristics

I. Population counts for rural and rural farm for—

United States
States
Counties

II. Characteristics (such as ethnicity, current language, age, relationship, family composition, place of birth, place of work, education, employment, occupation, industry, and income) will be presented for —

United States	
States SMSA's Urbanized Areas Places of 10,000 or more	With 1,000 or more Asian and Pacific Islanders
Places of 2,500 to 10,000 Counties	With 400 or more Asian and Pacific Islanders

PC(1)-D, Detailed Characteristics

This series of reports has not been finalized as yet; however, preliminary plans are to publish social and economic characteristics by age, sex, etc. for the Asian and Pacific Islander population for the United States, States and large SMSA's.

PHC(1), Census Tracts

Characteristics (such as age, sex, marital status, education, place of birth, employment, income) will be presented for —

SMSA's counties, and places with at least one tract that has 400 or more Asian and Pacific Islanders

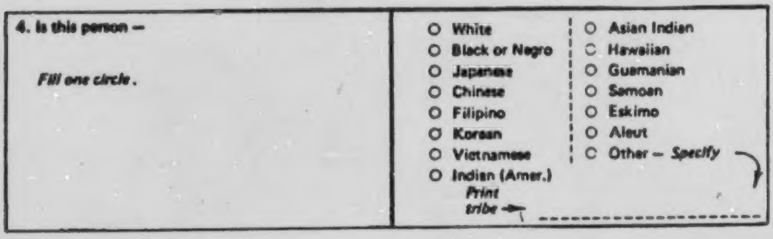
Tracts with 400 or more Asian and Pacific Islanders

NOTE: Complete-count data (100-percent) are shown in PC(1)-B reports. Population counts in Census Tracts reports are 100-percent data. Sample data are presented in PC(1)-C, PC(1)-D, and Census Tract reports.

1980 CENSUS QUESTION

RACE

(Short and Long Forms - 100 Percent)



4. Is this person —

Fill one circle.

○ White
○ Black or Negro
○ Japanese
○ Chinese
○ Filipino
○ Korean
○ Vietnamese
○ Indian (Amer.)
Print tribe → ____________________

○ Asian Indian
○ Hawaiian
○ Guamanian
○ Samoan
○ Eskimo
○ Aleut
○ Other — *Specify*

1980 CENSUS QUESTIONS

ANCESTRY

(Long Form - Sample)

14 **What is this person's ancestry?** *If uncertain about how to report ancestry, see instruction guide.*

(For example—Afro-Amer., English, French, German, Honduran, Hungarian, Irish, Italian, Jamaican, Korean, Lebanese, Mexican, Nigerian, Polish, Ukrainian, Venezuelan, etc.)

PLACE OF BIRTH

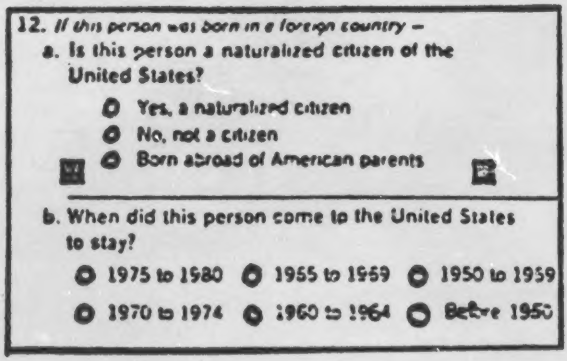
(Long Form - Sample)

11. In what State or foreign country was this person born? *Print the State where this person's mother was living when this person was born. Do not give the location of the hospital unless the mother's home and the hospital were in the same State.*

Name of State or foreign country; or Puerto Rico, Guam, etc.

CITIZENSHIP AND IMMIGRATION

(Long Form - Sample)



12. *If this person was born in a foreign country —*

a. Is this person a naturalized citizen of the United States?

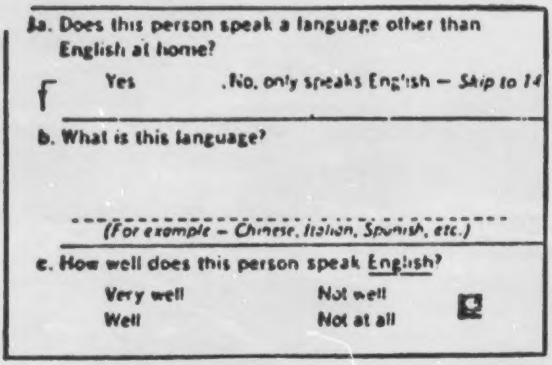
○ Yes, a naturalized citizen
○ No, not a citizen
○ Born abroad of American parents

b. When did this person come to the United States to stay?

○ 1975 to 1980 ○ 1965 to 1969 ○ 1950 to 1959
○ 1970 to 1974 ○ 1960 to 1964 ○ Before 1950

LANGUAGE

(Long Form - Sample)



13a. Does this person speak a language other than English at home?

Yes No, only speaks English — *Skip to 14*

b. What is this language?

(For example — Chinese, Italian, Spanish, etc.)

c. How well does this person speak English?

Very well Not well
Well Not at all

Exhibit No. 4

KOREAN COMMUNITY SERVICE CENTER
3136 FULTON ST. SAN FRANCISCO, CA 94118
(415) 567-3267 CALL KOREANS

I

INTRODUCTION

The Agency

The Korean Community Service Center (KCSC) was established in November of 1976 with the hope of meeting some of the needs of the Korean population. The KCSC, located at 3136 Fulton Street, San Francisco, is a non-profit, no-fee social service agency which provides services to Koreans of all ages, including senior citizens.

Historical Background

Since the passage of the U.S. Immigration Act of 1965, a steady influx of Korean immigrants have arrived and settled in the United States, primarily in Hawaii, large urban centers such as Chicago and New York, and on the Pacific west coast, especially Los Angeles and San Francisco. Korean immigration into the United States has grown dramatically the past few years. There has been over 1,300% increase in population from 1965 to 1975. Nationally, Korean immigrants represent the third largest group entering the United States, and the second largest Asian immigrant group. A 1977 report from the Office of the Lieutenant Governor of California placed the total number of Koreans in California at 150,000 (experienced community workers feel this statistic to be low). The Korean community in San Francisco alone is estimated at approximately 17,000.

Ninety percent of the Korean population in the San Francisco Bay Area are essentially monolingual (Korean speaking) immigrants, do not comprehend American culture and society, politically are relatively powerless, and tend to fall in the low and lower-middle income brackets. A report of the California Advisory Committee to the United States Commission on Civil Rights, released in February, 1975, pointed out that, "...social services had not provided for the needs of

Korean-American immigrants whose knowledge of and facility in English was limited." Testimonies from community workers allege that because of a lack of federally-funded programs, the responsibility of provision of social services was placed on the community.

The problem, however, was apparent. There were no Korean direct service agencies, nor training programs for service delivery for Koreans. This, coupled with the fact that there were virtually no Korean bilingual personnel in public and private agencies and institutions had led to an unpropitious state of affairs in which a myriad of unmet needs were being experienced by the Korean community.

To make matters worse, the concept of service delivery from a community based agendy was, at best, foreign to most Korean immigrants. The concept and practice of social welfare/social work as known in American was, for all practical purposes, non-existent in Korea.

A group of Korean-American workers who had been involved in varous community services and politics in the San Francisco Bay Area realized the gravity and precarious nature of the situation and began to formulate plans as to how to best meet these needs. After numerous meetings and discussions, a consensus was reached in which it was felt that the most expeditious direction to take was to develop a direct service and training program.

Three concurrent and interrelated objectives were formulated:

1. train social workers who could work in the Korean community;
2. establish a direct service program; and
3. develop support systems consisting of professionals who could provide training and consultation to the direct service program through their professional expertise.

These objectives formed the basis upon which the KCSC and its program areas were developed.

II

PROGRAM AREAS

As a multi-service center, the KCSC has five major areas: (1) a senior citizens' program, (2) direct services, (2a) immigration subcomponent, (3) indirect services, and (4) training.

(1) Senior Citizen's Center/Component

The Senior Citizens' component encompasses the Senior Hot Meals program and coordinates elderly services. The KCSC has provided the site for a hot meals program which, since its inception, has served approximately 30 Korean style meals a day to senior citizens, five days a week (500 to 600 meals/month). The nutritiously balanced meals, familiar to Korean elderly, are also being served to senior citizens from the general community.

The Korean Senior Citizens' Center is also the site for recreational activities such as calligraphy classes; educational activities, such as presentations on proper nutrition; or English-as-a-second-language classes; and for social/civic activities.

(2) Direct Service Program

The Direct Service Program represents a comprehensive combination of services in which crisis/supportive counseling is an integral part. Other services include:

(a) newcomers' orientation;
(b) interpretation/translation;
(c) escort services;
(d) job information/referral
(e) legal aid, and
(f) psychiatric consultation.

KCSC Workers operate in teams of two. Each team consists of a Korean-born and an American-born worker. The Korean-born worker establishes a rapport and works directly with the client while the American-born worker handles aspects of the American system which are instrumental in improving the well-being of the client. Both workers are mutually supportive throught the casework process.

One of the primary activities of the Direct Service Program is to link clients with various services and resources which are reflective of their needs. Some of these services are provided internally within the KCSC (e.g., legal aid, mental health counseling and psychiatric consultation, translation, interpretation and escort services). Other services and resources existing in the general community are provided through ties to a great number of agencies in San Francisco. The necessity of these ties is illustrated by the absence of Korean bilingual workers in these agencies.

The Direct Service Program is presently averaging 425 service contacts per month. A service contact can last anywhere from 15 minutes to 3 hours.

(2a) Immigration Subcomponent

The KCSC has also developed an immigration subcomponent to the Direct Service Program. Operating with a case coordinator, supervising attorney and 3 immigration lawyers/consultants, this subcomponent has been dealing with the specialized immigration needs of the Korean community

(3) Indirect Services

Indirect services are an integral aspect of the total program and complement each of the other agency program areas. In-direct services include staff activities which involve consultation, education, public information, and community organization.

There are five major categories of agencies/institutions with which the KCSC has provided services. There are community agenices, community mental health and residential treatment centers, education institutions, government/public agencies, and hospitals and public health agencies.

(4) Resource Groups

Resources persons to the direct service program include Korean professionals in the fields of psychiatry, social work, law, community development, and health. Resource meetings are held monthly between consultants and staff and usually concern social work/mental health issues. Regular weekly clinical seminars are conducted with the KCSC's psychiatric consultant. These seminars facilitate the presentation of case materials by workers and involve casework/therapy practice problems. The expertise offered by the agency's consultants affords the staff with the professional guidance and perspective needed when working with clients in a variety of circumstances.

(5) Training

The Korean Community Service Center is committed to the training of social work, psychology, and rehabilitation counseling students, and other direct service providers, and serves as an accredited Master's level field placement site for several universities and colleges. Participating institutions have included the University of California, Berkeley (School of Social Welfare), San Francisco State University (Department of Social Work Education, Department of Counseling, Department of Psychology), and the University of Illinois (Jane Adams School of Social Work).

APPENDIX I

STAFF, CONSULTANTS/RESOURCE GROUP

STAFF

Mr. Tom Kim - Director
Ms. Tae Ok Yun - Direct Service Program Coordinator
Mrs. Dora Kim - Senior Citizens' Center Coordinator
Mrs. Jane Buck
Mr. Kyo Hak Chu
Mrs. Jung Bun Choi
Mr. Brett Chun
Ms. Hazel Davidson
Mr. Frank Kim
Mrs. Jung Ja Kim
Ms. Sun Ae Kim
Ms. Min Paek
Mr. Glenn Park
Ms. Son Hui Yang
Mr. Frank Yoon
Mr. Ron Yu

CONSULTANT/RESOURCE GROUP

Dr. Yung Hi France (Psychology)
Mrs. Bok-Lim C. Kim (Social Work)
Mrs. Grace Kim (Education)
Dr. Luke Kim (Corrections/Psychiatry)
Dr. Eyoung Soo Park (Psychology)
Dr. Steven Shon (Psychiatry)
Mr. Tom Surh (Law)
Mr. Jay K. Yoo (Law)

The Korean Hot Meals site is one of 7 mealsites under the Self-Help for the Elderly programs.

Mr. Alan Wong (Director, Self-Help for the Elderly)
Ms. Noreen Chen (Inter-Ethnic Meals Program)
Ms. Beverly Yuen (Project Nutritionist)
Mrs. Han Ju Kim-Farley (Nutritionist)

Exhibit No. 5

SAMOAN COMMUNITY--Preliminary Survey

ADDENDUM I

FOCUS OF REPORT

This report is a preliminary survey of the location and nature of the Samoan Community in the State of California. This survey was conducted by the Office of Samoan Affairs, Inc. through the efforts of the Samoan Community Leaders from the three (3) regions of: San Diego County, Los Angeles/Orange Counties, and the Bay Area. This report is not designed as a statistically valid sample, but rather as a "best estimate" of which the information provided will be utilized for the larger HEW Evaluation Survey of American Samoans.

SAMOAN POPULATION IN CALIFORNIA

			SUBTOTAL
SAN DIEGO COUNTY:	National City	5,000	
	Oceanside/Vista	5,000	
	San Diego Proper	2,000	
	North San Diego	1,500	
	East San Diego	900	
			14,400
LOS ANGELES COUNTY:	Carson	11,000	
	Compton	9,600	
	Los Angeles	8,000	
	Wilmington	7,400	
	Torrance	2,000	
	Long Beach	1,200	
			39,200
ORANGE COUNTY:			15,000
BAY AREA:	San Francisco	8,500	
	Santa Clara/San Jose	5,000	
	San Mateo	4,500	
	East Bay	2,500	
			20,500

* TOTAL IN CALIFORNIA 89,100

* The total estimated population for the above regions is 89,100. The above areas were selected because they were the most concentrated residential areas for the Samoans. Other areas such as Oxnard, Monterey, and Santa Rosa where there are increasing number of Samoans living are not included.

Results in the survey of families:

FAMILY SIZE
(members in one household) Range 3 to 15
Average - 7

POPULATION BREAKDOWN BY AGE:

Under 19 years	19 - 35 years	36 - 50 years	50 +
40%	30%	20%	10%

Samoan places a high value on large families since large families are an indication of wealth and power in the community. In the U.S., the emphasis is on small families and birth control is generally encouraged. Large families, which also tend to be poor, create dilemmas for the elderly. Although the attitudes of caring for the elderly do exist, poverty is one of the devisive forces operating on the Samoan family which may hinder the elderly from getting proper health care.

NEEDS ASSESSMENT

A survey of needs was conducted in the three (3) regions. Results as follows:

Highest on the rating scale was the need to over-come the language barrier. In the order that the following are listed represents the priority of importance.

education opportunities
employment and training
social services (availability)
economic development
health care
orientation programs - availability of assistance, what, where & how
cultural understanding
being recognized as a group/Samoan and not "other"
housing
effectiveness in communicating needs to the various levels of government (federal, state, local) and the various agencies

Samoans encountered difficulties in many areas of American life. Two of the most prevalent external barriers to successful life in California seem to be poor language skills and lack of education. Combinations of these with other problems makes life extremely difficult. For example, poor language skills and little education make finding good paying jobs difficult. Low-paying jobs make it hard for the elderly difficult, due to high health costs and the necessity for transportation to clinics, and so on. Poor language skills make a Samoan, especially an elderly one, hesitant to seek medical care from an all-English-speaking clinic or hospital. Another barrier, over which the Samoans have little, if any, control and one that is somewhat difficult to assess is discrimination. It is unfortunate but often the case that many ethnic groups that lack English skills and employable skills often find themselves discriminated against by others.

But some of these external barriers may, in part, be caused by the Samoan social system. Conflict of values in the two cultures is most evident. The young Samoan children may find themselves lost between the traditional Samoan culture, which they wish to modify or leave altogether, and the American culture, which does not readily accept them. This creates problems of well being, which may lead to frustration, aimless drifting, welfare, and delinquency.

For a greater insight to the Samoan Community in California, a pictorial narrative, "The Samoan Experience in San Francisco", has been prepared. (Slides and Cassette).

STATISTICAL DATA AS OF MARCH 1978

ON

SAMOAN COMMUNITIES IN CALIFORNIA, HAWAII AND SEATTLE

SOURCE:

Office of Samoan Affairs, Inc.
Regional Titled Leaders
Organizational Leaders
Church Leaders
Agency Data Sheet Print-outs

TOTAL POPULATION	% EMPLOYABLE AGE GROUP = (70%)	% OF UNEMPLOYMENT POPULATION = (60%)
CALIFORNIA 89,100	70% 62,370	60% 37,422
HAWAII 26,000	70% 18,200	60% 10,920
WASHINGTON 8,000	70% 5,600	60% 3,360

Of the 40% of the Samoan population represented in the employment force only .1% is represented in the professional level. The remaining employed Samoan population are represented in the unskilled/blue collar labor force.

At a Samoan Leadership Conference held in Carson, California March 11, 1978 - A most highly specialized area of concern was the access of employment opportunities and development of employable skills.

Exhibit No. 7

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 26 1979

Mr. Frederick Routh
Director, Community Liaison Division
Office of Congressional and
Public Liaison
U.S. Commission on Civil Rights
Washington, D.C. 20425

Dear Mr. Routh:

This responds to your letter of June 14, 1979 requesting an official statement from me on the origin and nature of the differential pay scales in the territories of American Samoa and Guam.

As the Governments of American Samoa and Guam set their own wage standards, information on the breakdown of the wage/salary differentials by occupation, the explanation of how the wage/salary standards are set, and who enforces them would have to be obtained from those Governments directly. For Guam, I would suggest that you contact the Director of Labor, Government of Guam, Agana, Guam 96910. For American Samoa, the contact would be the Director, Department of Manpower Resources, Government of American Samoa, Pago Pago, Tutuila, American Samoa 96799.

The Governments would also have to be contacted directly as to the actual origin of the differential pay scales. From the limited historical information available to me, it would appear that any differential paid may be based on the U.S. Government's policy of paying such in non-foreign overseas areas. Such differentials are paid at a post in a non-foreign area when conditions of environment differ substantially from conditions of the environment in the United States and warrant additional pay as a recruitment incentive. Therefore, natives of the area are not paid such a differential as the need for an enticement to temporarily relocate to the area is absent. The Office of Personnel Management (formerly the U.S. Civil Service Commission) establishes the differentials for Federal personnel located in non-foreign areas.

If there is any other way in which I may be of assistance to you, please do not hesitate to contact me.

Sincerely yours,

Ruth G. Van Cleve

Mrs. Ruth G. Van Cleve
Director
Office of Territorial Affairs

June 14, 1979

Ms. Ruth Van Cleve, Director
Office of Territorial Affairs
Department of the Interior
Washington, D.C. 20240

Dear Ms. Van Cleve:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the differential pay scales which exist in the territories of Guam and Samoa between on-island and off-island hires in both government and private industry (see attached transcript pages 296-301).

In an effort to provide for the record a historical perspective with respect to the subject matter, I am requesting an official statement by the Department of the Interior, Office of Territorial Affairs on the origin and nature of the differential pay scales in those territories, including a breakdown of the wage/salary differentials by occupation; an explanation of how the wage/salary standards are set; who enforces them; and the extent to which the wage/salary differentials resulted from policy considerations by the Federal government.

If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on 254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK ROUTH
Director
Community Liaison Division
Office of Congressional and
  Public Liaison

Enclosure

Exhibit No. 8

I and N Reporter
October 1967

The Cuban Refugee

by Robert L. Woytych
District Director
Miami, Florida

On March 10, 1952, Fulgencio Batista, in a bloodless coup d'etat, took control of the government of Cuba. This was the beginning of a series of events which resulted in the Cuban refugee program operating in the United States today.

Following the March 10 coup, more and more resistance to Batista's dictatorship caused an increase in repressive measures by the Cuban police. Many Cubans fled to the United States and claimed political asylum; others stayed and formed resistance groups, one of which was headed by Fidel Castro.

These early political refugees were issued visas by U. S. Consular Officers in Cuba, and upon arrival in the United States were accorded immigration inspection in the same manner as other applicants for admission.

Exodus Begins

The mass exodus of refugees from Cuba began with the overthrow of President Fulgencio Batista during the last week of December 1958. Defeat of President Batista was brought about by the efforts of many revolutionary groups, and at first the only persons seeking political asylum were the supporters of the Batista regime. However, after Fidel Castro assumed power on January 1, 1959, and the true picture of the Communist takeover in Cuba began to emerge, more and more Cubans fled to the United States seeking political asylum. These were anti-Castro refugees as differentiated from the earlier pro-Batista refugees.

Parole Under Section 212(d) (5)

Prior to 1961, Cubans desiring to seek political asylum secured nonimmigrant or immigrant visas at the American Embassy in Havana in order to enter the United States. However, in January 1961 diplomatic relations with Cuba were broken and the United States Embassy in Havana was closed. Cubans who were not in possession of valid nonimmigrant visas could not obtain passage on airlines operating between Cuba and the United States. Some Cuban nationals went to other countries and obtained visas, but this was a slow and expensive process which many could not afford.

To alleviate this situation, shortly after diplomatic relations were severed our Government inaugurated a procedure for granting visa waivers. Cubans in the United States submitted to the Department of State applications for waivers of nonimmigrant visas in behalf of relatives and friends desiring to come to the United States, and the State Department referred each application to the Immigration and Naturalization Service for concurrence in waiving the required visa. If no derogatory information developed, the Immigration and Naturalization Service concurred in the waiver, and the applicant was advised by the

On the first anniversary of the Cuban Airlift, flag-waving refugees from that troubled island hail the United States with smiles on their arrival at Miami. The 175 persons arriving on the December 1, 1966 flights were treated to a "birthday party" featuring a giant birthday cake. The party was sponsored by Cuban groups in the Miami area.

Department of State that his application had been approved.

Almost 475,000 visa waiver applications for Cubans desiring refugee status were processed by the Department of State and the Immigration and Naturalization Office in Miami, and the arrival of refugees under this program reached a peak of 1,600 to 1,700 each week.

Under this nonimmigrant visa waiver program, Cuban refugees were brought to the United States on two flights operated daily by Pan American World Airways, and on a flight operated two days each week by the Netherlands KLM Airline. On arrival at Miami International Airport, these people were interviewed by Immigrant Inspectors proficient in the Spanish language in order to determine their admissibility under the immigration laws.

Since the refugees arriving under this program were coming to stay indefinitely, many intending to work, they were actually immigrants without immigrant visas. Despite the visa waiver, these people could not be admitted as nonimmigrants, and consequently they were paroled into the United States under the provisions of Section 212(d)(5) of the Immigration and Nationality Act. Such parole is not considered to be an admission under the immigration laws.

Those persons paroled in for an indefinite period under Section 212(d)(5), were referred to the Miami District Office of the Service for photographing and fingerprinting. Male Cubans requiring further screening were taken to a newly-opened Service processing center at Opa-Locka, a suburb of Miami, where they were provided sleeping accommodations and meals, as well as clothing and medical attention, if needed. They were housed there until completely cleared for refugee status—usually within a period of 48 hours. The screening at Opa-Locka was thorough, and security checks were made in all cases. When necessary, statements were taken and a Service investigation conducted to determine the alien's eligibility for parole.

In addition to those arriving via commercial carriers under the visa-waiver procedure, some refugees escaped from Cuba in small boats of all sizes and types, most of which landed in the Florida Keys. Many persons fled Cuba on rafts, some made of empty steel drums, even inner tubes. Refugees arriving by boat were processed in the same way as those arriving via commercial carriers.

Those refugees who were not cleared for release within two weeks of arrival at Opa-Locka were transferred to a detention facility at Tampa. Some were denied parole and were assisted in departing to other countries of their choice.

During this period, a procedure was set up to take care of Cubans already in the United States as temporary visitors. They were examined for refugee status, and when found eligible, were granted indefinite voluntary departure.

Assistance for Refugees

Many of the earlier refugees were financially solvent and their arrival posed no particular problems. As time went on, the financial condition of the arriving refugees worsened. Many left Cuba with little more than the clothes they were wearing. Assimilation of this large group presented many social and economic problems in Miami where most of them settled.

To cope with these problems, The Cuban Refugee Emergency Center was established in Miami by the Department of Health, Education and Welfare. The Center helped relieve the burden imposed upon the local community by the sudden inrush of refugees. This agency has done a remarkable job, meeting the refugees' immediate needs, training them for employment, providing medical treatment and assistance, and resettling in other parts of the country those who would agree to leave the Miami area. To accomplish these monumental

A family of Cuban refugees (foreground) are seen with a Spanish-speaking Immigrant Inspector (right) who processed their parole into the United States shortly after their arrival at Miami International Airport.

tasks, the Refugee Center enlisted the aid of voluntary agencies such as the Church World Service, the National Catholic Welfare Conference, the International Rescue Committee, and the Hebrew Immigrant Aid Society.

New Problems Arise—Return of Prisoners and Their Relatives

On October 22, 1962, regular means of travel by common carrier between the United States and Cuba suddenly terminated due to the crisis over the missiles and missile bases located in Cuba. Thereafter, only those few refugees able to escape Cuba in small boats or travel through a third country came to the United States. This slowdown in the number of incoming refugees continued until the release of the Bay of Pigs prisoners and their arrival in the United States on December 24, 1962.

The unsuccessful invasion of Cuba at the Bay of Pigs by exiles from that country in April 1961 resulted in a large number of the invaders being taken prisoner by the Cuban government. These men were imprisoned in Cuban jails and prisons.Their families formed an organization known as the Cuban Families Committee which was dedicated to obtaining the freedom of these men, but early negotiations were unsuccessful except to bring about the release of a small number of the seriously ill and wounded prisoners.

The Cuban Families Committee obtained the assistance of a well-known attorney who was successful in negotiating the release of all but a few of the imprisoned invaders. Subsequently, 1,117 Bay of Pigs prisoners were brought to the United States in planes chartered by the American Red Cross. To facilitate the embarkation of the released prisoners, officers of the Immigration and Naturalization Service were detailed to ride the planes which landed at Homestead Air Force Base, 40 miles south of Miami. There the former prisoners were processed by the various United States Government inspection agencies. The new arrivals were registered and provided with new clothing by the Government's Cuban Refugee Emergency Center. They were served a hot meal, and those agreeable to interviews were made available to news media, including radio, television, newspapers and periodicals, which covered the arrivals.

The Cuban Refugee Emergency Center provided buses to transport the released prisoners to the Municipal Auditorium at Dinner Key where the men were reunited with their families and friends. This reunion provided a joyous Christmas Eve which will be long remembered not only by the exiles but by the many Federal employees, military personnel and others, who worked so long and faithfully to assist in making the reunion possible.

As a part of the arrangements made to free the Bay of Pigs prisoners, large quantites of medical and other supplies were sent to Cuba by ships and planes. These shipments were handled by the American Red Cross. In an effort to repatriate United States citizens and their immediate families from Cuba and to reunite separated Cuban families, arrangements were made through the American Red Cross and the Embassy of Switzerland for transportation of these people to the United States on the ships and planes which had carried supplies to Cuba.

In determining who would be granted passage on the first planes and ships returning to the United States, preference was given to the families and relatives of the Bay of Pigs prisoners. The refugees, totaling 890, arrived by plane and were processed at the Miami International Airport through the regular procedures set up for processing Cuban refugees.

Inspection of the thousands of refugees arriving on the ships, and taking care of their immediate physical needs, created a situation requiring special consideration. Therefore, arrangements were made to bring the ships to Port Everglades, Florida. The first vessel brought 922 refugees, most of whom were related to the Bay of Pigs prisoners. Six more vessels arrived at Port Everglades, bringing the total to 4,903 refugees.

At Port Everglades, the Immigration and Naturalization Service set up a special processing center at dockside. Arrangements were made for photographing and fingerprinting the refugees at later dates. The United States Public Health and Customs Services also examined the new arrivals and their luggage at dockside facilities. The Cuban Refugee Emergency Center arranged transportation for refugees who could not be met by their families. When necessary, the Center furnished temporary quarters as well as meals until arrangements could be made for proper resettlement of the refugees.

After the arrival of the last Red Cross ship, Cubans desiring to seek political asylum had either to go through a third country or escape from Cuba in small boats. In addition to the dangers of the sea in unseaworthy boats and rafts, the escaping refugees faced the dangers of interception by Cuban government boats and planes patrolling the Cuban coast.

Current Airlift Program

On September 28, 1965, Premier Fidel Castro unexpectedly announced that, effective October 10, 1965, Cuban citizens who desired to join their families in the United States, or others who wished to live in the United States, would be permitted to leave Cuba.

President Lyndon B. Johnson, in a speech delivered at the Statue of Liberty on October 3, 1965, declared that the people of Cuba who seek refuge here will find it. The following day negotiations were begun, through the Swiss Embassy which represents the United States Government in Cuba, with the Cuban authorities for an orderly exodus of the refugees to the United States.

While these negotiations were in progress, Castro opened the port of Camarioca so that Cuban exiles in the United States might pick up their relatives and friends and bring them by boat to this country. A large flotilla of boats of every type imaginable went to Camarioca. The first small boat arrived back in the United States on October 7, 1965. Thereafter, a steady stream of small boat arrivals continued until November 13, 1965, when vessels chartered by the Department of State took over the task of transporting those refugees remaining at Camarioca when that port was closed to small boats.

Immigrant Inspectors and United States Public Health officials were assigned to ride these chartered vessels to Cuba, and these officers worked with the Swiss Embassy personnel screening refugees at the loading dock in Matanzas, Cuba, where the refugees were brought from their temporary shelter at the port of Camarioca. The Inspectors carried lists of persons eligible to board these vessels destined to the United States, and checked the boarding passengers against the lists.

Cubans desiring to leave their native land were required by the Castro government to leave all their real and personal property except changes of clothing which they were permitted to take aboard the vessels with them. On arrival at Key West, their few belongings were quickly inspected by the Customs Officers, and they boarded buses destined to the Cuban inspection center at Opa-Locka where final processing and granting of refugee status was accomplished. Thereafter, refugees who were not met by family members were delivered to the Cuban Refugee Emergency Center where arrangements were made for housing and eventual resettlement.

During the months of October and November, the area between Cuba and Florida is subject to sudden squalls, storms and even hurricanes. To ensure the safety of the flotilla of small boats which went to Cuba to bring refugees to the United States, the U. S. Coast Guard patrolled the area from the three-mile limit of Cuba to the port of Key West to assure that none would be lost. On several occasions the Coast Guard had to take people off the small boats to prevent their sinking. Later, the chartered vessels continued operation through November 30, 1965, and brought a total of 1,969 refugees to the United States. Small, privately-owned boats brought several thousand during the 2-month period in 1965 before the airlift became operative. It was only because of the efficiency and dedication of the U. S. Coast Guard that this was accomplished without serious injury or loss of life.

Negotiations by the Swiss Embassy with the Cuban government were successful, and on December 1, 1965, the United States inaugurated an airlift from Cuba to Miami, to bring in those persons who had close family ties in the United States.

Under the current program, persons in the United States desiring to bring in relatives from Cuba submit applications, or "planillas" to the Cuban Refugee Emergency Center where lists are made of the names according to relationship and date of filing. Priority is given to close relatives of Cuban exiles in the United States. The Cuban government makes lists of those who register to leave Cuba, and the Cuban Refugee Emergency Center prepares punch cards for names appearing on both the Cuban government and Refugee Center lists. These cards are submitted to the Immigration and Naturalization Service for clearance before the individual may depart Cuba on the airlift. Before clearance is granted by the Service, each name is cleared through the Service records and those of other agencies. Lists of persons receiving approval are taken to Cuba by two Immigration Officers who go to that country on each flight to assure that only persons properly cleared board the planes. A United States Public Health Doctor accompanies the two Immigration Officers to Cuba and assists in the screening process in that country.

Since the airlift began on December 1, 1965, two flights a day, five days a week, have arrived at Miami International Airport from Cuba.

When the airlift first started, the refugees were transferred from the planes to buses and taken to a new processing center opened at Opa-Locka for use by all inspection agencies and the Cuban Refugee Emergency Center. This installation was eventually closed and the processing transferred to the Miami International Airport. Upon arrival, the Cubans are processed by inspection agencies and then go to the Cuban Refugee Emergency Center for financial aid and possible resettlement to other parts of the United States. Those requiring temporary housing are given shelter and food at an airport building, appropriately called "Freedom House".

From December 1, 1965 through July 31, 1967, in excess of 74,000 refugees arrived in the United States on the Cuban airlift. Since certain classes of Cubans are not permitted to depart the island lawfully, there has been a steady but relatively small number of refugees reaching Florida in small boats. Many of those who depart from Cuba clandestinely are of draft age, and have been denied or would not be given permission to leave.

Problems encountered by the Cuban refugees after arrival in the United States include ineligibility for many types of employment because of their temporary status—neither lawful permanent residents nor United States citizens, and their ineligibility for homestead exemptions under Florida tax laws. To overcome this, many refugees traveled to Canada or other countries to secure immigrant visas and reentered the United States as lawful permanent residents. However, this was an expensive process and not available to the vast majority of refugees.

To alleviate this situation, Public Law 89-732 was approved November 2, 1966 (80 Stat. 1161), providing for adjustment of status to that of lawful permanent resident, two years after their admission or parole.

To meet the large number of anticipated applications for adjustment of status in the Miami area, the Service established a Cuban Adjustment Center at 1001 S. W. First Street in that city. The Center is staffed by one Supervisory Immigrant Inspector and four Immigrant Inspectors with a suitable clerical staff to process the anticipated thousands of applications to be received. Through July 31, 1967, 28,281 applications were received for adjustment of status to that of lawful permanent resident, and 15,346 cases have been completed.

Applications for resident status under the 1966 Act follow, basically, the procedure for adjustment of status under Section 245 of the Immigration and Nationality Act. The application is accepted, the necessary pre-interview clearances made, and an appointment made for interview and medical examination. The appointment letter, usually sent out about four weeks in advance, requests the applicant to bring in an X-ray and the results of a serology test, both of which are required by the U. S. Public Health Service.

When the applicant arrives at the Center on the day of his appointment, he is first examined by the United States Public Health Service, after which he is fingerprinted.

Next, the applicant is examined by an Immigrant Inspector to determine his eligibility for adjustment of status to that of a lawful permanent resident. If his application is approved, Service Form I-151 is issued to him. As required by law, the Form I-151 will show admission for permanent residence as of the date of the refugee's last arrival in the United States, or as of a date 30 months prior to the filing of his application, whichever date is later. If his application is not approved, the applicant is continued in the status he has enjoyed—that of a parolee or an alien who has been granted permission to remain in the United States until further notice.

Public Law 89-732 also permits a Cuban, admitted to the United States for lawful permanent residence prior to November 2, 1966, to have his date of admission predated to give him the same benefits as the Cuban who has adjusted his status to that of a permanent resident.

The large number of refugees coming to our shores from Cuba has created many problems for the various Government agencies concerned with processing and settling them in this country.

As expected these dedicated employees have lived up to their fine name of "Civil Servant," and have discharged their responsibilities, ever mindful of the interests of their Government. They have kept in mind that they are dealing with a people who have been uprooted and are leaving behind old ties, ways, and traditions to embark on a new way of life in a land which, though a welcomed haven, is alien to them.

FOR RELEASE 10 am CST November 6, 1965

Office of the White House Press Secretary
(Austin, Texas)

THE WHITE HOUSE

The President announced today that at 9:00 am CST the Swiss Embassy in Havana, representing United States interests in Cuba, and the Cuban Foreign Ministry had exchanged diplomatic notes establishing procedures and means for the movement of Cuban refugees to the United States. The arrangements for the movement were set out in a memorandum of understanding incorporated in the notes.

The full text of the note from the Swiss Embassy to the Cuban Foreign Ministry follows:

"The Embassy of Switzerland presents its compliments to the Ministry of Foreign Relations and, in its capacity as representative of the interests of the United States of America in Cuba, has the honor to refer to recent conversations which have taken place between the Embassy and representatives of the Government of Cuba with respect to the movement to the United States of Cubans who wish to live in the United States.

"The Embassy also has the honor to set forth below the text, in English and Spanish language versions which shall be equally authentic, of the memorandum of understanding agreed upon in those conversations:

"MEMORANDUM OF UNDERSTANDING BETWEEN THE EMBASSY OF SWITZERLAND IN HAVANA, REPRESENTING THE INTERESTS OF THE UNITED STATES OF AMERICA IN THE REPUBLIC OF CUBA AND THE FOREIGN MINISTRY OF THE GOVERNMENT OF CUBA CONCERNING THE MOVEMENT TO THE UNITED STATES OF CUBANS WISHING TO LIVE IN THE UNITED STATES

"1. The Government of Cuba agrees to permit the departure from Cuba of, and the Government of the United States agrees to permit the entry into the United States of, Cubans who wish to leave Cuba for the United States, in accordance with the provisions of this memorandum of understanding.

"2. In recognition of the prime importance of the humanitarian task of reuniting divided families, the two Governments agree that persons living in Cuba who are immediate relatives of persons now living in the United States will be given, as a group, first priority in processing and movement. The two Governments agree that the term 'immediate relatives' is defined to mean parents of unmarried children under the age of 21,, spouses, unmarried children under the age of 21 and brothers and sisters under the age of 21.

"3. The two Governments agree that they will include as members of this first priority group other close relatives living in Cuba of persons now in the United States who reside in the same household as the immediate relatives when such inclusion is required by humanitarian considerations. In order to protect the integrity of the agreed principle of first priority for immediate relatives, the two Governments agree that it will be necessary to verify the relationship and the actual existence of the humanitarian considerations referred to. The two Governments agree that this task of verification will be carried out by the Embassy of Switzerland in Havana and that the judgment of that Embassy will be accepted by the two Governments as final.

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"4. The Government of Cuba agrees to present to the Embassy of Switzerland in Havana as soon as possible a list (hereinafter called "Cuban Master List A") of immediate relatives living in Cuba of persons now living in the United States, and of other persons living in Cuba described in paragraph 3 above, who wish to live in the United States. The Embassy of Switzerland in Havana will transmit Cuban Master List A to the Government of the United States. The Government of the United States for its part, will have prepared a list (hereinafter called "US Master List A") based on information supplied by persons now living in the United States who have immediate relatives living in Cuba and who are prepared to receive and are interested in receiving such relatives. It is understood that the lists provided for in this paragraph may be prepared in installments and shall be supplemented from time to time.

"5. Those names which appear on both Cuban Master List A and US Master List A will be incorporated by the Government of the United States in a single list (hereinafter called "Joint Consolidated List A"), which will be transmitted by the Embassy of Switzerland in Havana to the Government of Cuba. With respect to Joint Consolidated List A, there will be a presumption that the persons on the list will be permitted by the Government of Cuba to depart Cuba and will be permitted by the Government of the United States to enter the United States, but final permission will be granted in the form of approval by both Governments of embarkation lists for each flight from Cuba to the United States.

"6. The cases of persons whose names appear on Cuban Master List A or on US Master List A but not on both (and therefore not on Joint Consolidated List A) will be the object of further examination by the two Governments, utilizing the services of the Embassy of Switzerland in Havana as required, with a view to the inclusion of such persons in addenda to Joint Consolidated List A, or, in any case, in the second priority group described below in paragraph 8.

"7. The two Governments agree that from Joint Consolidated List A, and its addenda, embarkation lists for each flight from Cuba to the United States will be drawn. The two Governments agree that they will make every effort to ensure that the following categories of persons appearing on Joint Consolidated List A are transported in the order of priority indicated: First, parents and unmarried brothers and sisters under the age of 21 living in Cuba of children living in the United States under the age of 21; Second, unmarried children under the age of 21 living in Cuba of parents living in the United States; and third, spouses living in Cuba of persons living in the United States. Families and other members of the households will be permitted to travel together in accordance with the principles of paragraph 3 above.

"8. When both Governments agree that the persons appearing on Joint Consolidated List A and its addenda no longer require full utilization of the transportation provided, the movement of other persons living in Cuba who wish to live in the United States will begin. First consideration will be given to relatives living in Cuba of persons living in the United States who do not fall within the definition of immediate relatives.

"9. The Government of Cuba agrees to present, in due course, to the Embassy of Switzerland in Havana, for transmission to the Government of the United States a list (hereinafter called 'Cuban Master List B') of all such persons who will be permitted to depart from Cuba. The Government of Cuba agrees to consider, in preparing Cuban Master List B, names of persons living in Cuba submitted by the Government of the United States on the basis of information supplied by friends and relatives living in the United States.

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"10. The two Governments agree that Cuban Master List B will form the basis of the preparation of embarkation lists for each flight from Cuba to the United States, in accordance with procedures described below.

"11. The Government of Cuba agrees that, with respect to persons on either Joint Consolidated List A or Cuban Master List B, it will prepare, in consultation with the Embassy of Switzerland in Havana, prospective embarkation lists for individual flights from Cuba to the United States. Such lists will be provided the Government of the United States at least seven days prior to the date of the flight.

"12. The Government of the United States agrees in turn to inform the Government of Cuba without delay, through the Embassy of Switzerland in Havana, of persons on the embarkation lists approved for entry into the United States, with the understanding that final formalities will be completed at the point of embarkation by officers of the US Immigration and Naturalization Service and Public Health Service.

"13. The Government of Cuba agrees to assemble such persons at the airport at Varadero.

"14. The two Governments agree that such persons will be subject to a final departure inspection by officials of the Department of Immigration and the Ministry of Public Health of Cuba and to an entrance inspection by officials of the Immigration and Naturalization Service and the Public Health Service of the United States, at the airport in Varadero. Persons found to be ineligible for departure from Cuba by Cuban officials in accordance with the laws and regulations in force in Cuba or those found by American officials to be ineligible for entrance in to the United States under laws and regulations in force in the United States will not be permitted to embark.

"15. The Government of the United States agrees to provide air transportation to carry persons permitted to depart Cuba and to enter the United States from Varadero to a convenient point in the United States.

"16. The Government of the United States agrees to provide air transportation with such frequency and capacity as to permit the movement of between 3,000 and 4,000 persons per month.

"17. The two Governments agree that the first movement under the terms of this memorandum of understanding will begin not later than December 1, 1965.

"18. The two Governments agree that any problems that may arise in the implementation of this memorandum of understanding will be considered jointly by the Embassy of Switzerland in Havana, representing the interests of the United States of America in the Republic of Cuba, and the Government of Cuba.

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"In the course of the conversations which led to the memorandum of understanding set forth above, the Government of Cuba stated its position concerning the departure of technicians and men from 15 to 26 years of age in Cuba who are obliged to perform compulsory military service. The Government of Cuba also stated that it would set forth its position on these matters in a separate note.

"The Government of the United States stated that it would reply, through the Embassy of Switzerland, to the note of the Government of Cuba referred to in the preceding paragraph and would set forth its own position on these matters as it had been expressed in the course of the discussions. Furthermore, the Government of the United States stated it would transmit to the Government of Cuba, through the Embassy of Switzerland, a separate note concerning the position of the Government of the United States on the matter of the inclusion in the movement from Cuba of persons imprisoned in Cuba for offenses of a political nature as that position had been expressed in the course of the discussions.

"The Government of Cuba stated that it would reply to the note of the Government of the United States concerning the inclusion in the movement to that country of persons imprisoned in Cuba for offenses against the revolution and would set forth its own position on this matter as it had been expressed in the course of the discussions.

"The Embassy has the honor to propose that, if the understandings described in the memorandum of understanding set forth above are acceptable to the Ministry of Foreign Relations, this note and the Ministry's reply concurring therein shall constitute an acceptance by the Government of the United States and the Government of Cuba of the terms of the memorandum of understanding, which shall take effect on the date of the reply."

(Spanish language version omitted)

A concurring note from the Cuban Foreign Ministry to the Swiss Embassy completed the exchange and put the memorandum of understanding into effect.

In addition to these main notes, there were four other notes exchanged separately at about 9:30 am CST. The first of these, from the Cuban Foreign Ministry to the Swiss Embassy, reads as follows (complimentary introduction and close omitted):

"The Government of Cuba, in accordance with the statement in the note containing the memorandum of understanding, and in order to prevent errors in interpretation on the part of, or in relation to, certain persons who, by reason of the social function they perform or because of legal obligations from which they cannot be excused, are subject to certain restrictions in regard to their departure or who do not have the right to leave the country, considers it useful to confirm in writing, and also to publish, what was stated orally in the conversations with the Swiss Embassy which preceded the said (memorandum of) understanding, in reference to priorities, form and manner of departure of Cubans who wish to join their relatives or live in the United States, namely that in the case of technicians or skilled personnel whose departure from the country may cause a serious disturbance in a specific social service or in production, because a replacement for such person would not immediately be available, the Government of Cuba will authorize the departure of such person within the period during which the trips will take place, but will postpone it until the time when such person may be replaced in the duties which he performs.

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"Likewise, and in conformity with the statement in the Cuban note containing the memorandum of understanding, and for the same reasons set forth in the preceding paragraph, the Government of Cuba considers it desirable to confirm hereby, and at the same time to publish, what it clearly stated during the course of the negotiations; namely that no citizen who under the law is included in the first call-up for compulsory military service, that is, between 17 and 26 years of age, or who will be included in the call-up in the next two years, that is to say, who is at present 15 years of age, has the right to leave the country and therefore will not be authorized to leave."

The Swiss Embassy replied to this note as follows.(complimentary introduction and close omitted):

"During the recent discussions which led to the memorandum of understanding of November 6, 1965, the Embassy of Switzerland made clear that it had been the understanding and hope of the Government of the United States that the statement by the Prime Minister of Cuba on September 30, 1965, would encompass persons in these categories who wished to leave Cuba to live in the United States. Thus, for example, there was no suggestion in that broad statement that any technicians who wished to leave Cuba for the United States would be prevented from departing, even temporarily.

"The Government of the United States regrets that at this time the Government of Cuba has not permitted men subject to military service and certain technicians to be included under the terms of the Memorandum of Understanding. The Government of the United States expresses the hope that the Government of Cuba will be willing to reconsider this position expressed in the course of the discussions mentioned above and repeated in the note of the Ministry. The Government of the United States wishes to stress the particular importance which such reconsideration would have in permitting the reunion of many families.

"For its part, the Government of the United States reaffirms its readiness to grant entry to the United States of the persons who are the subject of this note through procedures consistent with those established in the Memorandum of Understanding of this date."

The third separate note was from the Swiss Embassy to the Cuban Foreign Ministry (complimentary introduction and close omitted):

"As the Embassy of Switzerland made clear during the course of the recent conversations which led to the Memorandum of Understanding on the movement of persons from Cuba to the United States, accepted by both Governments on November 6, 1965, the Government of the United States regards with special humanitarian concern the cases of those persons imprisoned in Cuba for offenses of a political nature. It had been the understanding and hope of the Government of the United States that the statement by the Prime Minister of Cuba on September 30, 1965 would encompass persons in this category who wished to leave Cuba to live in the United States.

"The Government of the United States regrets that at this time the Government of Cuba has not permitted political prisoners to be included under the terms of the Memorandum of Understanding. The Government of the United States expresses the hope that the Government of Cuba will be willing to reconsider this position. The Government of the United States wishes to stress the particular importance which such reconsideration would have in permitting the reunion of many families.

"For its part, the Government of the United States reaffirms its readiness to grant entry to the United States of such political prisoners through procedures consistent with those established in the Memorandum of Understanding of November 6, 1965."

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The final separate note, a response by the Cuban Foreign Ministry to the note initiated by the Swiss Embassy, read as follows:

"The Ministry of Foreign Relations presents its compliments to the Embassy of Switzerland, representing the interests of the United States of America in Cuba, and in acknowledging receipt of its note dated November 6, has the honor to inform it that the Cuban position on the matter is that expressed in its note of October 12 of the present year."

# # # #

Exhibit No. 12

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A PETITION

TO THE

U.S. COMMISSION ON CIVIL RIGHTS

WE, THE UNDERSIGNED PARTICIPANTS and observers IN THE U. S. COMMISSION ON CIVIL RIGHTS CONSULTATION ON ASIAN AND PACIFIC AMERICANS, REQUEST THAT THE FOLLOWING RECOMMENDATIONS BE IMPLEMENTED:

1. THAT THE COMMISSION SUBMIT SPECIFIC FINDINGS AND RECOMMENDATIONS TO THE CONGRESS AND TO THE PRESIDENT;
2. THAT APPROPRIATE FEDERAL AGENCIES NAMED IN THE CONSULTATION BE CALLED BEFORE THE COMMISSION TO RESPOND TO THE ISSUES AND DATA PRESENTED DURING THE CONSULTATION;
3. THAT MORE INDEPTH STUDIES ON THE PRIORITIES, ISSUES, AND PROBLEMS BE PURSUED BY THIS COMMISSION;
4. THAT THE PRESIDENT APPOINT AN ASIAN and OR PACIFIC AMERICAN COMMISSIONER TO THIS COMMISSION; AND
5. THAT THIS PETITION BE SUBMITTED INTO THE RECORDS OF THE PROCEEDINGS OF THIS CONSULTATION AND PRINTED AS PART OF THE REPORT OF THIS CONSULTATION.

NAME	ORGANIZATION/AFFILIATION	ADDRESS
[illegible] Kao	Chinatown Planning Council	13 [illegible] St, N.Y.
Tomio M. Hato	OPA / Office for Civil Rights, DHEW	Washington, D.C.
Kenji Murase	Pacific/Asian Coalition	683-12th Ave. S.F. CA
Philip Chong Tseng	S.F. Neighborhood Legal Asst	250 Columbus Ave, S.F.
Po S Wong	Chinese Newcomers Service Center	816 Sacramento St S.F. CA 94108
Chi Kong Han	EEOC	WASH, D.C
	CCA	DENVER, Colo Sansei
	Rutgers University	New Brunswick NJ 08903
Tsumi Sugihara	SAC, TEX	College Station, TX

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NAME	ORGANIZATION/AFFILIATION	ADDRESS
DIEM HOANG	OBSERVER	4550 - 30th Ave. N. St Petersburg FL 3370
William L. Leong	Participant	Boston, Ma
Gladdon Chin	Chinatown North Beach Neighborhood Employment Center	615 Grant S.F. CA.
Christine Ung	Los Angeles City	200 N. Spring St LA 90012
Rita Fujiki Elwing	[illegible], Washington SAC	318 6th Ave S. Seattle 98104
Keewhan Choi	DHEW	1122 SPRINGDALE Rd. NE ATLANTA, GA. 30306
Jerry Wong	Census Bureau, Wash. D.C.	FOB #3, Room 3224 Wash, D.C. 20233
Ruby Tsang	~~Asian~~ Women United ~~Federation~~	746 Union St; Bklyn NY 15
Diane Mark	Gold Mt. D.C	7542 Eldorado St. McLean, VA 22102

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5. THAT THIS PETITION BE SUBMITTED INTO THE RECORDS OF THE PROCEEDINGS OF THIS CONSULTATION AND PRINTED AS PART OF THE REPORT OF THIS CONSULTATION.

NAME	ORGANIZATION/AFFILIATION	ADDRESS
Sandy Ouye	Kimochi, Inc.	San Francisco, Cal.
Robert N. Santos	INTER*IM	Seattle
Armando [illegible]	ASIAN Inc	S.F.
Kerry N. Doi	PACE (Pacific Asian Consortium in Employment)	L.A., Calif.
Fe C. Nievera	Asian Amer. Mental Health Research Center (Midwest Committee)	Chicago, Illinois
[illegible]	Asian American Alliance	Tacoma, WA
E. S. [illegible]	PA. Human Relations Commission	Harrisburg.
Joey Kim	Korean Am Assn of Chicago	Chicago, Ill.
	WEST BAY Pilipino Multi-Service Corporation	SAN FRANCISCO CA.

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A PETITION

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NAME	ORGANIZATION/AFFILIATION	ADDRESS
LING-CHI WANG	Univ. of California, Berkeley	Berkeley, CA
Dolores Young	Civil Rights, Justice Dept	Wash. DC
William Ellison	Private citizen	Wash DC
Nack Young An	Georgia State Univ	Atlanta, Ga.
Annie Topping	Inter Agency Council for Immigrant Services	Hon. HI
Roberto S. Mariano	University of California, Berkeley & University of Pennsylvania	Dept of Economics Berkeley, Ca 94720
Tom Owens	NIMH	Washington, D.C.
Evelyn Lee	South Cove Community Health Center	885 Washington St. Boston, Ma.
[illegible]	Dept. of Anesthesiology [illegible] [illegible] center, [illegible]	95 [illegible] [illegible]

A PETITION

TO THE

U.S. COMMISSION ON CIVIL RIGHTS

WE, THE UNDERSIGNED PARTICIPANTS and observers IN THE U. S. COMMISSION ON CIVIL RIGHTS CONSULTATION ON ASIAN AND PACIFIC AMERICANS, REQUEST THAT THE FOLLOWING RECOMMENDATIONS BE IMPLEMENTED:

1. THAT THE COMMISSION SUBMIT SPECIFIC FINDINGS AND RECOMMENDATIONS TO THE CONGRESS AND TO THE PRESIDENT;
2. THAT APPROPRIATE FEDERAL AGENCIES NAMED IN THE CONSULTATION BE CALLED BEFORE THE COMMISSION TO RESPOND TO THE ISSUES AND DATA PRESENTED DURING THE CONSULTATION;
3. THAT MORE INDEPTH STUDIES ON THE PRIORITIES, ISSUES, AND PROBLEMS BE PURSUED BY THIS COMMISSION;
4. THAT THE PRESIDENT APPOINT AN ASIAN and/OR PACIFIC AMERICAN COMMISSIONER TO THIS COMMISSION; AND
5. THAT THIS PETITION BE SUBMITTED INTO THE RECORDS OF THE PROCEEDINGS OF THIS CONSULTATION AND PRINTED AS PART OF THE REPORT OF THIS CONSULTATION.

NAME	ORGANIZATION/AFFILIATION	ADDRESS
Bok-Lim C. Kim	Univ. of Ill. 1207 W. Oregon	St. Urbana Ill. 61801
Victorina Peralta	Asian American Council Inc. and Pacific Asian Coalition (PAC)	1006 Race St. Phila. Pa. Phila Chapter
Diane Yen-Mei Wong	Comm'n on Asian American Affairs 1417 Columbia AE-11	Olympia, WA 98504
J. Hall Lin	Chinatown Planning Council	13 ELIZABETH St NY 10013
Betty Lee Guimaraes	Fair Employment Practices Commission, California	455 Golden Gate SF Calif. 94102
Aiko Herzig-Yoshinaga	Asian Americans for Fair Media + JAHFA (Japanese American Help for the Aging, NYC)	7912 Chase Thomas Lane Annandale VA 22003
Anthony Kahng	New Jersey Institute of Technology	35 Sunderland Dr Morristown NJ 07960
Ty K. Shin	Korean Community Services	633 W. 115th New York N.Y. 10025
Lawrence Koseki	State Dept of Social Services & Housing	P.O. Box 339 Honolulu Hi 96809

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A PETITION

TO THE

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5. THAT THIS PETITION BE SUBMITTED INTO THE RECORDS OF THE PROCEEDINGS OF THIS CONSULTATION AND PRINTED AS PART OF THE REPORT OF THIS CONSULTATION.

NAME	ORGANIZATION/AFFILIATION	ADDRESS
Steven C. Han MD	Richmond Maxi Center	3626 Balboa San Francisco, Ca
Caroline J. Chang	Massachusetts State Advisory Committee	129 Ormond St. [illegible], Ma 02126
Dale Minami	Asian Law Caucus Asian American Bar Ass'n	870 Grand Ave Oakland, CA
Abraham T.C. Shen	Chinatown Planning Council	13 Elizabeth St. New York, NY 10013
[illegible]	Chinese for Affirmative Action	121 Waverly Pl. SF 94108
Dorothy L. Cordova	Demonstration Project for Asian Americans	810 - 18th Ave Seattle, Wash. 98122
Tania Azores	Philippine Americans for Community Action & Devt (PACAD)	6228 Seaford Ave. Los Angeles, CA 90056
[illegible] N. Luvies	Former Publisher Filipino Ningas Cogon (magazine	331 W 22 St NY NY 10011
Irene Hirano	T.H.E. Clinic for Women Calif. Commission on the Status of Women	3860 W. Santa Barbara Los Angeles, Ca. 900[illegible]
Paige Kaneko Barber	Alu Like, Inc.	Suite 3035 2828 Paa St. Honolulu, Hi 96819

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7

A PETITION

TO THE

U.S. COMMISSION ON CIVIL RIGHTS

WE, THE UNDERSIGNED PARTICIPANTS IN THE U. S. COMMISSION ON CIVIL RIGHTS CONSULTATION ON ASIAN AND PACIFIC AMERICANS, REQUEST THAT THE FOLLOWING RECOMMENDATIONS BE IMPLEMENTED:

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NAME	ORGANIZATION/AFFILIATION	ADDRESS
Regina Chow	EEOC	2401 E St NW. Wash., DC.
Thelma Buchholdt	Filipino Community of Anchorage	Anchorage, Alaska
Paul [illegible]	Kayu Kai, Inc.	Wash. D.C.
Marguerite Gee	Pan Asian Women	Wash., D.C.
Joanne Yamauchi	American U.	Wash. D.C.
Vernon T. Yoshioka	Union of Pan Asian Communities	San Diego Calif.
Mary I. Watanabe	Pacific/Asian Coalition	Philadelphia, Pa.
Arthur [illegible]	Comm. on Population and the Hawaiian Future	Honolulu, Hi.

Exhibit No. 15

June 19, 1979

Mr. Wilson C. Riles, Superintendent
of Public Instructions
Department of Education
721 Capitol Mall
Sacramento, California 95814

Dear Mr. Riles:

In a recent consultation on Civil Rights Issues of Asian andPPacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, Dr. Ling Chi Wang, Professor of Asian American Studies, University of California at Berkeley referred to a ruling by the California State Office of Education to terminate State funds for the Chinese and Japanese bilingual and multicultural education programs in the public schools of San Francisco (see attached transcript pages 328-331). He stated for the record that the reason to terminate State funds was because the AFDC count among Asian students was not high enough to justify the continuation of those programs which, he indicated, have been very successful.

In our effort to complete the proceedings of the transcript of the consultation relative to the subject matter, I am requesting a statement for the record with respect to Dr. Wang's testimony, including a copy of the decision to terminate State funds for those programs, and the criteria used to support that decision.

If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on 202/254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects Division
Office of National Civil Rights Issues

Enclosure

cc: Mr. Robert F. Alioto
Superintent of Public Instructions
135 Van Ness Avenue, Rm. 209
San Francisco, California 74102

June 15, 1979

Mr. Stuart Honse
Executive Officer
California Housing Finance Agency
301 Capitol Mall
Suite 303
Sacramento, California 95814

Dear Mr. Honse:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the availability of and provision for additional low-income, multiple unit housing in the innercities of the State of California, particularly with reference to Asian and Pacific Americans residing in the innercity of San Francisco and Los Angeles (see attached transcript pages 466-473).

In our effort to complete the proceedings of the consultation relative to the subject matter, I am requesting for the record a copy of the current State plan with respect to low-income housing that will be provided in inncercity areas of the State, particularly in those areas that are heavily populated by Asian and Pacific Americans, and a statement relative to the degree in which the plan has been implemented.

If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on 202/254-6345.

Thank you for you cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects Division
Office of National Civil Rights Issues

Enclosure

FBR:bh/6-15-79

June 18, 1979

Mr. Roland E. Camfield, Jr.
Director
Area Office
Department of Housing and Urban Development
2500 Wilshire Boulevard
Los Angeles, California 90057

Dear Mr. Camfield:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the availability of and provision for additional low-income, multiple unit housing in the innercities of the State of California, particularly with reference to Asian and Pacific Americans residing in the innercity of San Francisco and Los Angeles (see attached transcript pages 466-473).

In our effort to complete the transcript of the proceedings of the consultation relative to the subject matter, I am requesting for the record a copy of the current Affirmative Fair Marketing Plan for the State of California with respect to Section 8 housing assistance programs in the innercities of the State, particularly in those areas that are heavily populated by Asian and Pacific Americans such as San Francisco and Los Angeles, and a compliance statement relative to the degree in which the plan has been implemented.

If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on 202/254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects Division
Office of National Civil Rights Issues

Enclosure
HHW/FBR:bh/6-18-79

June 18, 1979

Mr. James H. Price
Director
Area Office
Department of Housing and Urban Development
1 Embarcadero Center
San Francisco, California 94111

Dear Mr. Price:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the availability of and provision for additional low-income, multiple unit housing in the innercities of the State of California, particularly with reference to Asian and Pacific Americans residing in the innercity of San Francisco and Los Angeles (see attached transcript pages 468-473).

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If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on 202/254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects Division
Office of National Civil Rights Issues

Enclosure
HHW/FBR/bh/6-18-79

July 2, 1979

Mr. Lloyd L. Umagat
Director of Labor
Government of Guam
Agana, Guam 96910

Dear Mr. Umagat:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the differential pay scales which exist in Guam between on-island and off-island hires in both government and private industry.

In an effort to provide for the record a historical perspective with respect to the subject matter, I am requesting an official statement on the origin and nature of the differential pay scales, including a breakdown of the wage/salary differentials by occupation; an explanation of how the wage/salary standards are set; who enforces them; and the extent to which the wage/salary differentials resulted from policy considerations by the Federal government.

If you wish to contact a staff person concerning this request, please call Mr. Herbert Wheeless on (202) 254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects
National Civil Rights Issues

July 2, 1979

Mr. J.L. Grey
Director
Department of Manpower Resources
Government of American Samoa
Pago Pago, Tutuila
American Samoa, 96799

Dear Mr. Grey:

In a recent consultation on Civil Rights Issues of Asian and Pacific Americans: Myths and Realities, sponsored by the U.S. Commission on Civil Rights, references were made by several of the participants to the differential pay scales which exist in American Samoa between on-island and off-island hires in both government and private industry.

In an effort to provide for the record a historical perspective with respect to the subject matter, I am requesting an official statement on the origin and nature of the differential pay scales, including a breakdown of the wage/salary differentials by occupation; an explanation of how the wage/salary standards are set; who enforces them; and the extent to which the wage/salary differentials resulted from policy considerations by the Federal government.

If you wish to contact a staff person concerning this request, please call Mr. Herbert wheeless on (202) 254-6345.

Thank you for your cooperation.

Sincerely,

FREDERICK B. ROUTH
Director, Special Projects
National Civil Rights Issues

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